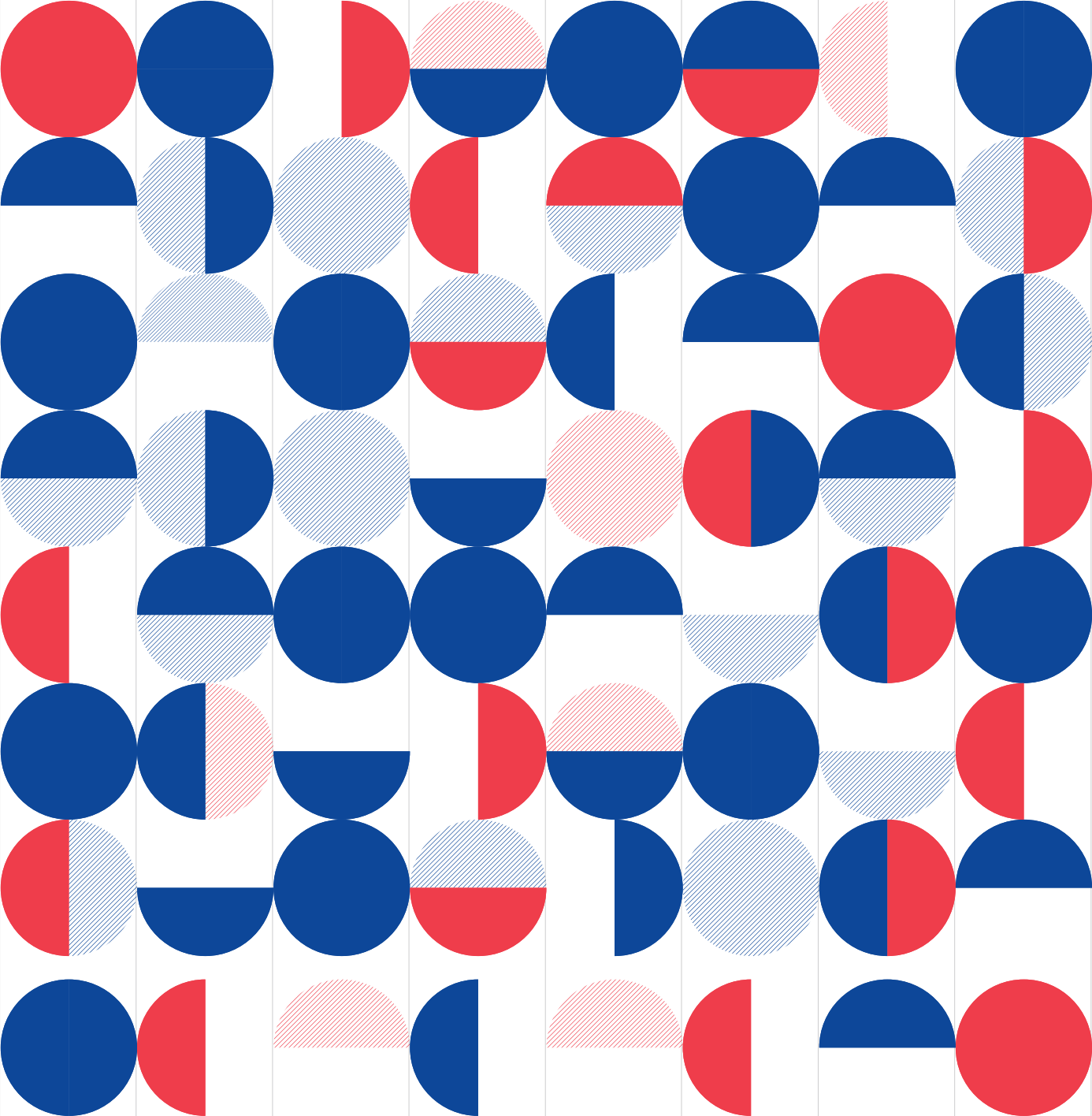


SDG 16 as a Key Vector for Eliminating Poverty

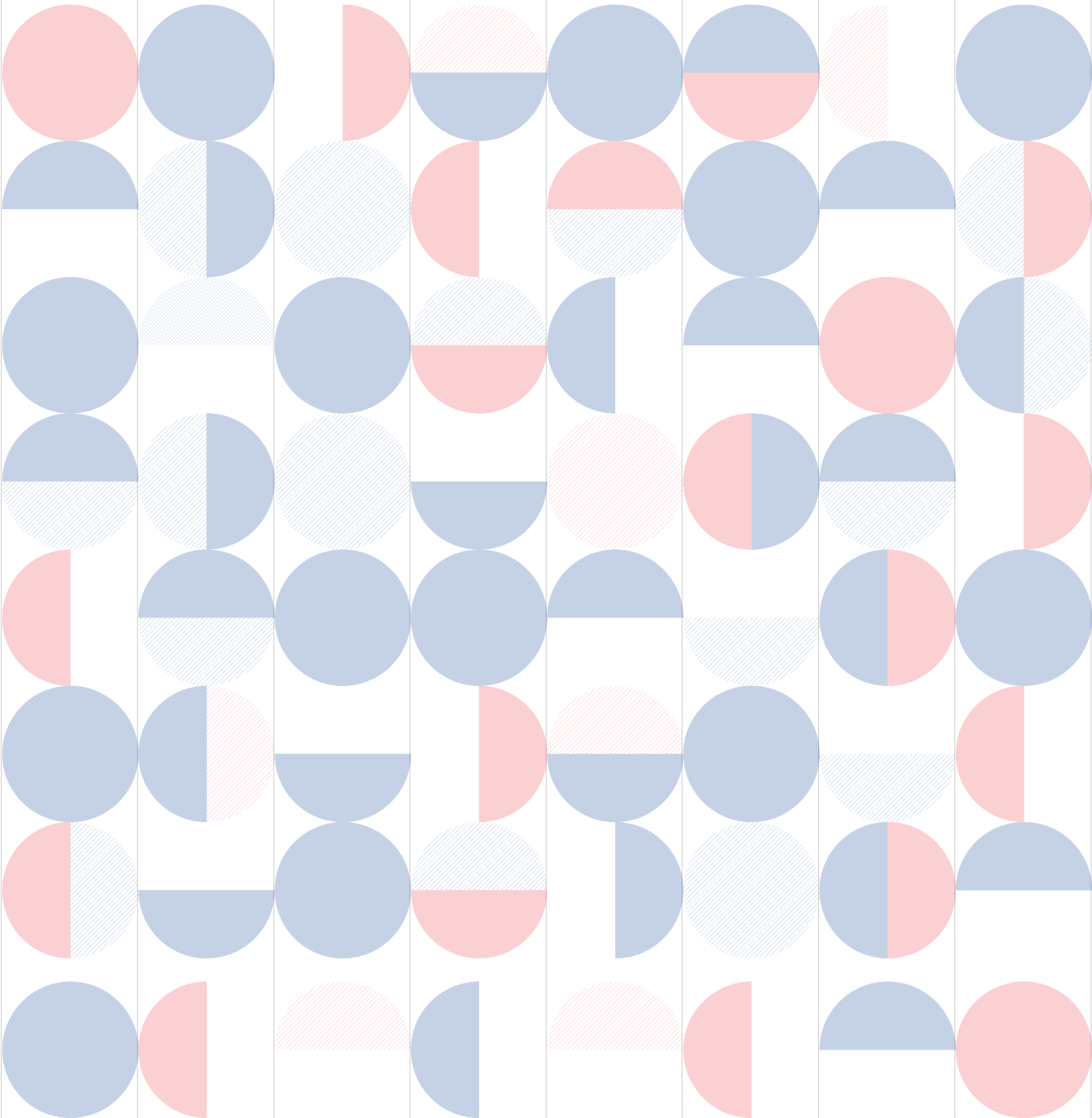
SDG 16 Data Initiative 2024 Report





SDG 16 as a Key Vector for Eliminating Poverty

SDG 16 Data Initiative 2024 Report



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Acronyms and abbreviations

CLD	Centre for Law and Democracy
CPI	Corruption Perceptions Index (Transparency International)
CSO	Civil society organization
GSoD	Global State of Democracy
IAEG-SDGs	Inter-Agency and Expert Group on SDG Indicators
IPL	International poverty line
MGoS	Major Groups and other Stakeholders
NHRI	National Human Rights Institution
NSO	National Statistical Office
ODA	Official development assistance
RTI	Right to information
SDG	Sustainable Development Goal
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
WJP	World Justice Project

Introduction

Photo: Sonkita Conteh, Managing Director of Namati Sierra Leone, with Binta Monya Jalloh. Credit: Namati.



SDG16 Data Initiative 2024 Report

Michael Runey
Adviser, International IDEA

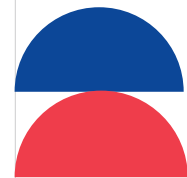
In 2015, the 2030 Agenda for Sustainable Development led with a bold aspiration to eradicate poverty in all of its forms by 2030 (Sustainable Development Goal (SDG) 1). There were grounds for optimism at the time, as the number of people living in extreme poverty (736 million) was lower than it had been 15 years before (UNDP n.d.). Even if unforeseen circumstances might prevent a total eradication of poverty, surely halving it or eliminating its worst forms would be within the realms of possibility.

Recent estimates by the World Bank put the number of people living in extreme poverty, currently defined as less than US\$ 2.15 per day, at 692 million (Castaneda Aguilar et al. 2024b). While the intervening years of pandemic, supply chain disruptions, and financial and economic crises have thrown up impediments to poverty eradication that policymakers understandably had not foreseen in 2015, this provides an explanation for only a minority of those living in extreme poverty today. A 2023 report by the United Nations Development Programme (UNDP) found that in the hypothetical absence of the polycrisis, an estimated 532 million would still be living in extreme poverty (Ecker et al. 2023).

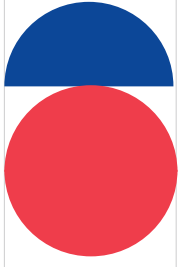
These estimates are reflected in the most recent reliable quantitative data provided by the World Bank, which is based on thousands of national surveys. The data from the World Bank's Poverty and Inequality Platform shows that as of late 2021, 689 million people were still living in poverty at the international poverty line of US\$ 2.15 per day. Researchers were able to confirm that between 2019 and 2020, the proportion of the world's population living in extreme poverty rose from 8.9 to 9.7 per cent, marking 'the first increase in global poverty in decades' (Castaneda Aguilar et al. 2024a).

The UNDP calculates that counteracting the polycrisis and pandemic-fuelled rise in extreme poverty would cost around US\$ 14 billion. This is comparable to a rounding error in the budget of the US Government, the world's largest economy, and equivalent to the public sector budgets of Bolivia, Ghana and Latvia (CIA World Factbook n.d.).

The tragic failure to act to prevent a historic increase in global poverty is indicative of a wider problem. The United Nations Inter-Agency Task Force on Financing for Development reported in April 2024 that the annual SDG and development financing gap amounts to between US\$ 2.5 and 4 trillion annually. In the most recent year for which data is available, just over half (51 per cent) of official development assistance (ODA) stayed at home, as much of the increase in ODA spending in 2021–22 was dedicated to in-country refugee costs (IISD 2024: 99).



**692 million
people live
on less than
US\$ 2.15 per day.**



Countries with higher levels of corruption also have higher levels of poverty.

The SDG16 Data Initiative would like to thank the following partners for their contributions to this report: the Centre for Law and Democracy, International IDEA, Transparency, Accountability & Participation (TAP) Network, Namati, Transparency International Canada, the World Justice Project and World Vision.

A lack of commitment

There has simply been insufficient political—and therefore financial—commitment to achieving the SDGs. Changing course will require political and democratic institutions in countries that distribute development aid and in those that receive it to be responsive, inclusive and, of course, effective at translating popular mandates into action and results. This is a question not of competing priorities, but of complementary ones. The global community has not managed to prioritize effectively to date but there are signs that change could be on the horizon.

On 22 September 2024, the United Nations General Assembly adopted the Pact for the Future, the first major guiding document to look beyond the 2030 Agenda ([United Nations 2024](#)). The document's article 7 restates the core aim of SDG 16 to build 'peaceful, just and inclusive societies for sustainable development'. Article 12 sets the stage for a high-level political forum in September 2027 to decide 'how we will advance sustainable development by 2030 and beyond'. The former must be the core of the latter, as peaceful and just societies built around robust public institutions are the rock on which sustainable development is built.

A growing body of literature demonstrates that this is the case. A thorough literature review by the International Institute for Democracy and Electoral Assistance (International IDEA) in July 2024 laid out the correlations between progress on SDG 16 targets and poverty reduction. SDG 16 Target 16.3 on justice has the most robust interlinkage, followed by Targets 16.6 on institutions and 16.7 on decision making ([Cram 2024](#)).

Countries with higher levels of corruption also have higher levels of poverty. The literature review showed that more effective and responsive governance reduces corruption and produces other beneficial effects, such as improved levels of political participation, government transparency and access to information, that correlate with poverty reduction (SDG Targets 16.5 and 16.6). Improvements in access to justice are also known to provide

social and economic benefits, as poor and marginalized people are better able to defend themselves from land grabs and eviction, and to take more impactful collective action to address shared harms (SDG Target 16.3).

The available research points us in the right direction but is far from exhaustive. This report is part of the SDG16 Data Initiative's efforts to further illuminate the key role of inclusive societies and institutions in poverty eradication. In Chapter 1, John Romano and Elena Marmo of the TAP Network Secretariat discuss the crucial role of non-official data and civil society organizations in achieving the overall goals of the 2030 Agenda. In Chapter 2, Kathryn Grace Hulseman of the World Justice Project explores the vital role of SDG Target 16.3 in ensuring poverty reduction, and what non-official data can say about progress with achieving it. In Chapter 3, Trevor Loke of Transparency International Canada takes stock of the global fight against corrupt practices. In Chapter 4, Emily Bloom and David Towriss of International IDEA explore how economic inequality and extreme poverty inhibit access to justice.

Toby Mendel from the Centre for Law and Democracy argues in Chapter 5 that only with adequate access to public information, as envisaged in Target 16.10, can the public hold decision makers to account and achieve broad-based Prosperity. Namati and the TAP Network have contributed case studies to further illuminate the interlinkages between SDG 16 and poverty eradication (SDG 1).

Who we are

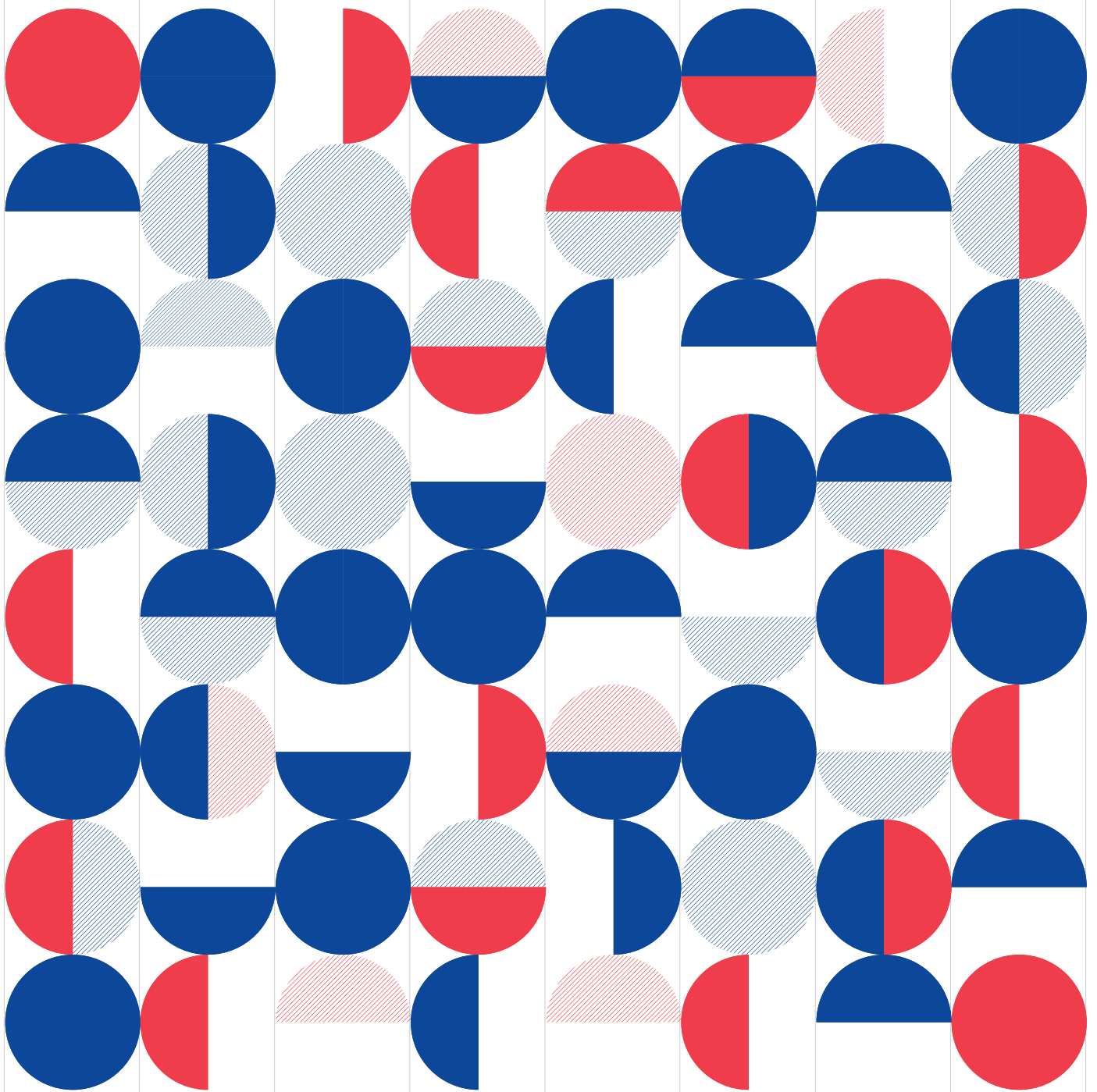
The SDG16 Data Initiative is a consortium of 18 partner organizations with a shared commitment to open tracking of the global commitments made on SDG 16 on 'Peace, justice and strong institutions'. Previous reports by the SDG16 Data Initiative have focused on the key role of non-official and more robust data in tracking progress towards the achievement of the SDGs. This report applies our data to focus on the core interlinkages between SDG 16 and SDG 1 on poverty eradication.

Table 1.1
SDG targets

	Target 16.1 Significantly reduce all forms of violence and related death rates everywhere
	Target 16.2 End abuse, exploitation, trafficking, and all forms of violence against and torture of children
	Target 16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all
	Target 16.4 By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime
	Target 16.5 Substantially reduce corruption and bribery in all their forms
	Target 16.6 Develop effective, accountable and transparent institutions at all levels
	Target 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels
	Target 16.8 Broaden and strengthen the participation of developing countries in the institutions of global governance
	Target 16.9 By 2030, provide legal identity for all, including birth registration
	Target 16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements
	Target 16.a Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime
	Target 16.b Promote and enforce non-discriminatory laws and policies for sustainable development

Source: SDG16 Hub, 'SDG16 Indicators', [n.d.], <<https://www.sdg16hub.org/landing-page/sdg-16-indicators>>, accessed 15 September 2024.

Chapter 1



Non-official data for SDG monitoring and accountability

John Romano and
Elena Marmo
TAP Network Secretariat

If the global community is to achieve the ambitions of the Sustainable Development Goals (SDGs), it is essential that the SDGs themselves are matched by an equally comprehensive and inclusive monitoring and accountability framework. National Statistical Offices (NSOs) are the primary bodies responsible for monitoring progress with achieving the SDGs. However, data produced by other actors can also play a crucial role in providing a robust and accurate picture of progress at all levels. The Transparency, Accountability & Participation (TAP) Network therefore urges the Inter-Agency and Expert Group on SDG Indicators (IAEG-SDGs) and NSOs to recognize the importance of 'non-official' data sources to effective monitoring and accountability.

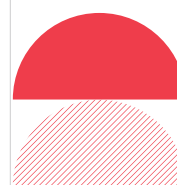
The TAP Network is a broad international coalition of civil society organizations (CSOs) working together to advance SDG16+ to promote peace, justice and inclusive societies, and to help to enhance accountability for the 2030 Agenda for Sustainable Development and the SDGs. It therefore intimately understands the crucial role of CSOs in advancing the 2030 Agenda. The term SDG16+ aims to provide language that captures the embedded interlinkages between SDG 16 and the other goals, with a view to facilitating a better understanding that supports policy coherence and forges a better integrated and more strategic approach to implementation of the SDGs.

In catalysing action on the goals themselves and monitoring their progress, the TAP Network mobilizes hundreds of CSOs operating in every region of the world. TAP's work also reinforces the assertion that SDG16+ and accountability for the 2030 Agenda are inextricably linked, and that efforts to deliver on the SDGs require participatory and inclusive institutions that are accountable to the very communities from which the 2030 Agenda pledges to 'leave no one behind'.

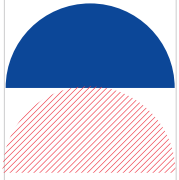
With this in mind, the inclusion and participation of civil society does not stop at policy development and implementation. It is equally important that CSOs are included in the monitoring of progress, particularly given their acute awareness of 'realities on the ground'. A shift to including data generated by CSOs can provide a more accurate snapshot of SDG 16 implementation (or lack of it) at the national and local levels.

The role of civil society in the 2030 Agenda

Civil society has long been recognized as a partner in the development agenda. In the almost 80 years since the UN was founded with the joint goals of promoting peace, development and human rights, these roles have grown and evolved. CSOs exist as formal or informal avenues for like-minded individuals, or people experiencing similar forms of oppression, discrimination or marginalization, to connect and voice their views and concerns to governments. The UN Charter begins with 'We the Peoples of the United Nations', so it is only fitting that a diversity of groups representing the interests of people worldwide are able



A shift to including data generated by CSOs can provide a more accurate snapshot of SDG 16 implementation (or lack of it) at the national and local levels.



1,500 civil society representatives participated at the 1945 UN founding conference, alongside 5,000 government and UN attendees.

to play a role in shaping the policies that impact them, while holding governments accountable to their commitments.

This inclusion of and partnership with civil society is not unheard of in the context of the UN and the 2030 Agenda. There is a rich history of such inclusion on which the international community and NSOs can build. Fifty member states adopted the UN Charter at the founding conference in San Francisco in 1945. While there was no official mandate for civil society participation in the conference, records indicate that civil society actors were present in select member state delegations. There were approximately 1,500 civil society representatives, while the remaining 5,000 attendees came from government delegations, the press and the UN Secretariat (Jolly, Emmerij and Weiss 2019). As far back as the 1968 UN Tehran Human Rights Conference, governments were calling for ‘the informed participation of all citizens in the decision-making process affecting national development’ (United Nations 1968). The 1972 Stockholm Conference, which introduced the concept of sustainable development, called on governments and the UN to ‘provide equal possibilities for everybody, both by training and by ensuring access to relevant means and information, to influence their own environment by themselves’ (United Nations 1973). Furthermore, following the 1992 Rio Conference, Agenda 21 provided the structure for civil society to become heavily engaged in the development process. The UN Conference on Sustainable Development in Rio (Rio+20) also emphasized the importance of civil society in the development of the SDGs while creating the Major Groups and other Stakeholders (MGoS) mechanism to facilitate civil society engagement with the 2030 Agenda at the national, regional and international levels. This mechanism, which built on the 1992 Rio Summit’s Major Groups mechanism, comprises 21 different MGoS constituencies (UN DESA 2021).

Civil society is key to the success and implementation of Agenda 2030 as both partner and observer or advocate, holding governments to account through the SDGs. CSOs work across all levels of the SDGs from local to national to international. Some act as direct implementers of projects, providing essential services such

as healthcare and education. Others act as monitors, identifying deforestation or environmental hazards, or tracking expenditures. Local organizations represent the interests of their communities in crucial areas such as land rights and reform or rapid urban and rural development. Human rights groups train communities on their rights and represent individuals and communities affected by government action or inaction, advocating for fair treatment. Many organizations of all sizes collect information and data on implementation and make that information available, providing an alternative view to government reporting (Campaign for a Decade of Accountability for the SDGs 2021: 62–63).

However, civil society faces many challenges to being fully able to engage effectively. Many governments do not see civil society as a full partner. Engagement is often tokenistic. CSOs are often ‘consulted’ by government bodies, but without any real input into processes. This has been the case with many Voluntary National Reviews, which is the primary follow-up mechanism for national recording of progress on the SDGs.

Of major concern are the attacks that take place on CSOs, especially those involved in environmental disputes. Hundreds of environmental and land defenders are murdered every year and many more are physically surveilled, harassed or attacked with impunity. Others are legally pressured by governments and private sector bodies, notably through the use of Strategic Lawsuits Against Public Participation (SLAPPs). These are frivolous lawsuits designed to intimidate civil society actors and rights defenders, preventing them from protesting unjust actions and denial of their rights, even though the government or private body has no intention of pursuing a genuine case against them. These attacks highlight the importance of SDG 16, with its targets on protecting fundamental rights, public participation and access to justice, and the need to implement it in full.

The value of non-official data

Non-official data is the term used to describe any data that originates from outside NSOs, such as from the UN, CSOs, research institutions, academia, the private sector and citizens themselves. It ranges from global surveys, such as Transparency International's Corruption Perceptions Index (CPI) and the Open Budget Survey, and indices, such as the UNDP Multidimensional Poverty Index, to personal, qualitative data generated by some of the world's most marginalized people at the local level (e.g. the citizen-generated data project, Map Kibera). It also includes data taken from publicly available open data sets that track a specific phenomenon or issue (e.g. Publish What You Fund's Aid Transparency

Index and the SDG16 Data Initiative), as well as information collated through expert assessments, such as the CIVICUS annual State of Civil Society Report. All of these data sources play a critical role in measuring progress with the SDGs and the 2030 Agenda.

There is a compelling case for the creation of a pluralistic ecosystem of data production that includes the use of non-official data. The inclusion of non-official data can not only support the reporting and tracking of progress on the SDGs, but also foster a greater culture of civil society inclusion and civic ownership of the SDGs while strengthening the capacity of civil society actors and NSOs.

Box 1.1

#SDG16Now: Halfway to 2030 Report

In 2023, the TAP Network, along with its partners, published a flagship report by the #SDG16Now Campaign, a global civil society campaign to support accelerated action to achieve SDG16+ around peaceful, just and inclusive societies. The report provides a snapshot of progress towards fostering peaceful, just and inclusive societies at the critical halfway point in the implementation of the 2030 Agenda (#SDG16Now Campaign 2023). CSO-led stocktaking efforts such as this are critical to outlining the current challenges and gaps in implementation, and identifying areas where further action and commitments are needed from governments and the international community.

The report, which reflects the analysis of hundreds of civil society, UN and government stakeholders from across the world, substantiates concerns that progress towards SDG16+ has been slow and uneven, and in many cases is backsliding. Around 60 per cent of respondents from our global constituent survey felt that there had been backsliding or little progress on SDG16+, both internationally and domestically. A majority felt that governments engaged with CSOs in Voluntary National Reviews, but less so outside of that process. The biggest challenges were identified as funding, accountability and transparency, lack of data and lack of inclusivity with regard to marginalized communities.

All these problems highlight the need for civil society to play a larger role in promoting SDG 16. Civil society already plays a crucial role in SDG 16 implementation; many of the best sources of information on progress with SDG 16 are produced by civil society and academic institutions, and citizen-generated data is especially important in demonstrating impact at the local level. Spotlight reporting highlights the gaps in the official reporting and should be more formally incorporated into official processes. More positively, more governments appear to be starting to include civil society and others in their reviews, even if somewhat superficially at present. At the same time, however, limits on civic space and growing authoritarianism make it harder for civil society to operate effectively.



The 2030 Agenda highlights the need for timely, reliable and disaggregated data, recognizing the role of non-official data in filling gaps, ensuring inclusivity and driving innovation in tracking SDG progress.

What the 2030 Agenda says about non-official data

The 2030 Agenda contains some positive language about creating an inclusive framework for action on sustainable development at all levels. However, there is insufficient appreciation of the vital role that non-official data can play in measuring and monitoring the SDGs. The 2030 Agenda states that the SDG follow-up and review process will be rigorous, based on evidence that is timely, reliable and disaggregated by different groups in society. Non-official data can make a crucial contribution to making all of this a reality. Indeed, the 2030 Agenda states that, while the global review should be ‘primarily based on national official data sources’, it will also ‘promote transparent and accountable scaling-up of appropriate public-private cooperation to exploit the contribution to be made by a wide range of data, including earth observation and geo-spatial information, while ensuring national ownership in supporting and tracking progress’. Thus, there is a strong foundation for partnership between producers of official and non-official data as outlined in the 2030 Agenda. Non-official data can contribute to monitoring of and accountability for SDG 16 in a number of ways.

Filling data gaps and increasing capacity

A lack of accessible data and the lack of diversity in data sources from civil society or other non-official sources represents a significant challenge for accountability for the SDGs (SDG16 Data Initiative 2023). Non-official data can complement official sources of data by filling gaps and offering a more complex and accurate picture of progress at all levels, especially when the quality, availability or impartiality of official data is lacking (Campaign for a Decade of Accountability for the SDGs 2021).

It can also ensure that the perspectives and experiences of communities or population groups that might be overlooked by official data collection practices are documented

and taken into account in SDG processes. Beyond this, it can strengthen best practices for NSOs while ensuring that progress towards achieving the SDGs is comprehensively measured at all levels. In some cases, non-official data has been collected for longer than NSOs have been tracking the SDGs, which provides a better long-term picture of progress and change. In addition, non-official data offers wider insights on the targets than the formal indicators. Especially where there is a large gap between the SDG targets and their indicators, non-official data can provide a more holistic view and deeper understanding of the specificities of some indicators.

Fulfilling commitments to multi-stakeholder partnerships

The MGoS mechanism aims to facilitate civil society engagement with the 2030 Agenda at all levels. It provides a mandate and precedent for governments to engage with other stakeholders across the 2030 Agenda. The private sector is increasingly seen as a development partner and source of innovative financing for the SDGs, and UN agencies and civil society groups are being called on to help to implement and fund the SDGs. This multi-stakeholder spirit, however, has not yet permeated the discourse surrounding measurement and monitoring.

Driving innovation and building capacity

In the light of the lack of available data across many SDG indicators and targets, collaboration with CSOs can help to breed innovation in data collection methods and approaches. Innovation is best when it involves a diverse range of actors working together as part of an open and dynamic ecosystem of data production. Collaborative working between NSOs and non-official data producers can also help to build each other’s capacities, skills and shared practices, especially if secondments and fellowships are used.



Photo by Efrem.

Broad ownership of data and accuracy

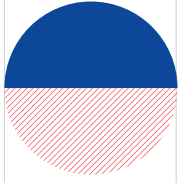
Country ownership is about much more than state ownership. Pluralistic data production also means data ownership across society. The use of non-official data from different sources can help to build trust and credibility among citizens regarding the accuracy of official monitoring and reporting on SDG progress. Where official data on the SDGs is generated in a participatory manner, this can empower citizens and support a people-centred approach to accountability by ensuring that citizens are engaged in reporting processes.

Accountability

Policymakers need data to make decisions but civil society, opposition politicians, activists and the media also need data to hold policymakers accountable. Non-official data offers a crucial check and balance that can help to ensure that official data portrays a full picture of national and local contexts. In some contexts, non-official

data can also help to verify or contest official reporting by NSOs to ensure its impartiality and consistency, particularly in cases where these processes have become politicized. This would uphold the legitimacy of collective data and paint a truly accurate picture of progress towards achieving the SDGs.

Especially when it comes to issues such as access to justice, the rule of law or human rights, governments should not be given sole responsibility for self-monitoring performance. Corruption might be present or civil society perspectives on the effectiveness of service delivery might be vastly different from government perspectives. The use of a balanced range of sources is important for building public trust and credibility in the SDGs and the way they are monitored. With this in mind, National Human Rights Institutions (NHRIs) could play a role in state accountability, given their role as independent state-mandated bodies that promote and protect human rights in a country.



Collaboration is key: An ideal SDG monitoring system leverages data from diverse sources, ensuring inclusion, representation and credibility through partnerships between NSOs, CSOs and marginalized groups.

Challenges and opportunities to face in partnership

While there is a large amount of often high-quality non-official data available, it is usually sector-specific and generated through a wide range of uncoordinated initiatives. Only a relatively small number of large international organizations and initiatives are currently able to effectively aggregate data generated in different local contexts. While the disaggregated nature of the data presents a wealth of knowledge at local and population-specific levels, using and aggregating the rich data generated by a diverse range of actors presents a huge challenge, given the significant variance in focus, format and quality.

An inclusive follow-up and review process that includes clear mechanisms for governments and civil society stakeholders to work together in partnership would help to increase the coherence, coordination and utility of this data for SDG monitoring. If producers of non-official data follow the same collection standards as NSOs and are open to similar levels of scrutiny, there is every reason to view their data as equally valid. This may require capacity strengthening for CSOs to align data collection methods with NSO standards, where relevant, while continuing to collect complementary data.

Some governments still need convincing that CSOs and citizen-generated data initiatives can provide data that is both useable and credible. It will therefore probably be necessary to demonstrate the concrete value and viability of collaborative use of such data in practice. Many efforts have been undertaken at the global level in this regard. The above-mentioned Halfway to 2030 Report on SDG16+ and the SDG16 Data Initiative's annual reports all aim to highlight the value and potential of non-official data sources, while also working to aggregate and synthesise data.

Beyond collection at the national level, if the indicators proposed by the IAEG-SDGs are to adequately measure progress against all SDG targets, this will require non-official data to be used for reporting processes at all levels. The ideal SDG monitoring system would therefore draw on multiple sources of data in a complementary way, leveraging the comparative advantages of each data type. NSOs and other data providers should work together in this regard.

There are many ways for NSOs to work with CSOs on the inclusion of non-official data sources.

- **NSOs must engage with marginalized groups and youth in a participatory way to achieve comprehensive data collection. This means working with CSOs directly to utilize their data sources and coordinating NSO data collection from marginalized groups, thereby ensuring representation of those who are often overlooked in official data.**
- **Collaboration among stakeholders such as CSOs, NSOs, NHRIs, academia and the private sector is crucial for effective data collection.**
- **Donors should increase financial support and resources to empower CSOs and grassroots initiatives to collect, analyse and process data.**
- **NHRIs should use their mandates to facilitate participatory data collection methods for monitoring the SDGs.**
- **National legislative bodies and parliamentarians should create supplementary indicators to develop a framework to align the 2030 Agenda with local contexts, in partnership with stakeholders and statistical bureaus.**
- **It will be vital to enhance basic data literacy, and to simplify data for the public and intermediaries such as media outlets, social media users and CSOs, targeting youth especially.**

Stopping a land grab in Sierra Leone

In 2015, Binta Monya Jalloh—a resident of Makpele, Sierra Leone—learned that her entire chiefdom had been leased for 50 years to a European palm oil company for about US\$ 2 per acre per year without the knowledge or consent of her community. Under the terms of the lease, the company could have replaced 75,000 acres of rainforest with mono-cropped oil palm trees—destroying the area’s biodiversity and leaving it vulnerable to the impacts of climate change.

When Mrs Jalloh learned about this lease agreement, she did not know much about the law, had never attended school and did not know how to read—but she knew she had to fight to save her home. She began by speaking to her neighbours about this injustice. Together, they started a residents’ association and sought help from community paralegals working nearby. Community paralegals are advocates who are trained in basic law and skills such as mediation, organizing, education and advocacy. They partner with communities to seek remedies for injustices and bring the law into the hands of people, thereby helping to implement the promise of Sustainable Development Goal (SDG) 16 to provide access to justice for all.

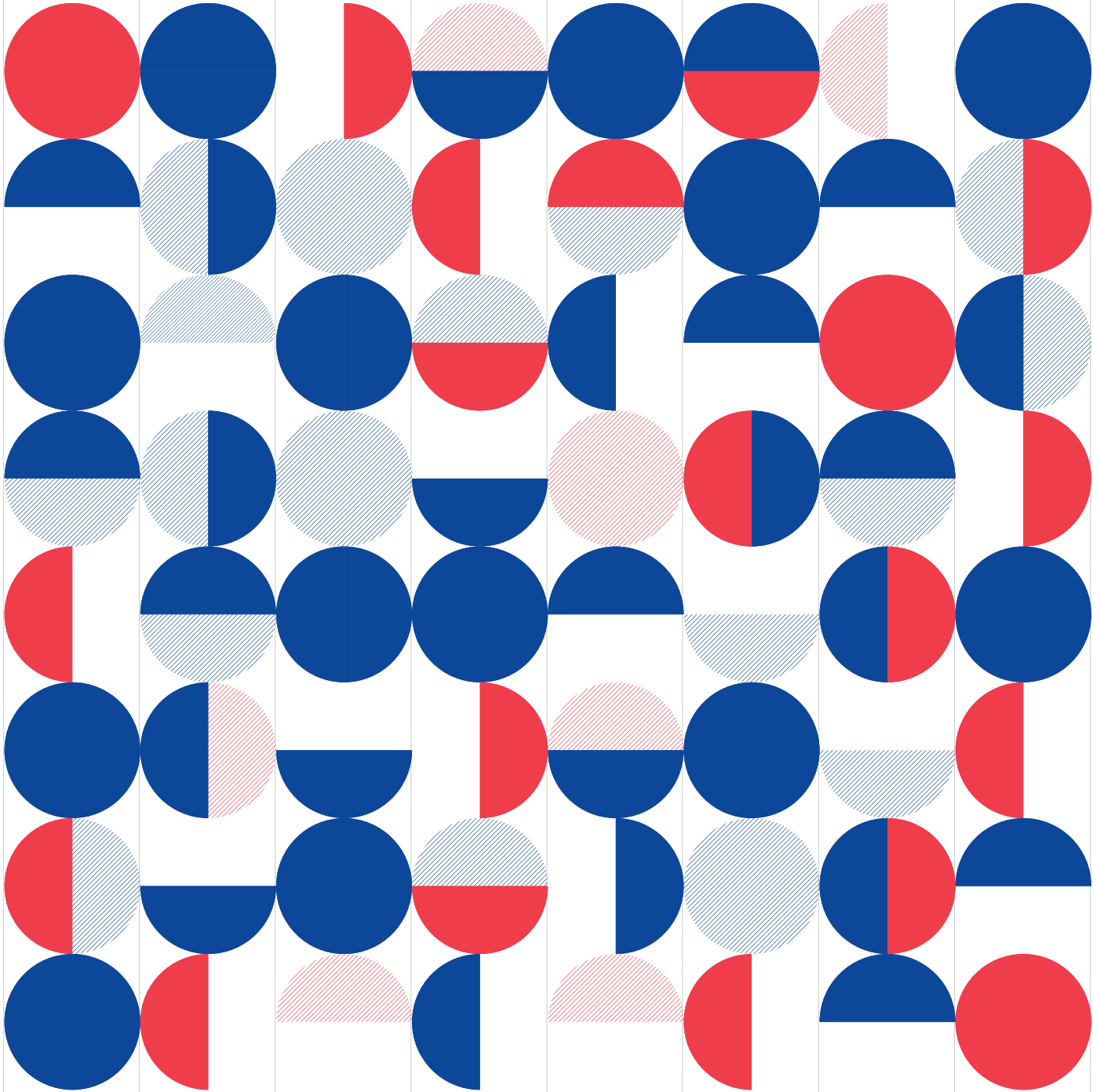
Working with the paralegals, the residents learned that the lease agreement was illegal. They confronted the company and held demonstrations to protest against the lease. They continued to organize for 18 months until the company finally acknowledged that the lease was invalid.

Having successfully contested the validity of the lease, Mrs Jalloh and other community members decided to pursue

a partnership with the adjacent Gola Rainforest National Park, while others negotiated development of the remaining land on their own terms. Through the partnership, community members are hired to work in the national park as forest guards and guides, students receive scholarships, and farmers receive technical and financial support to engage in mixed-crop farming. These benefits will help the residents enjoy a more secure and sustainable future, and ultimately reduce poverty within the community in line with SDG 1. Namati continues to work with the community to strengthen the partnership with the park, including, for example, on negotiations around the payments the park receives from participation in carbon markets.

Drawing on their experience, community members joined with paralegals to advocate for changes in the law, which led to the passage of two groundbreaking laws in Sierra Leone. The new laws give communities the right to Free Prior Informed Consent over all industrial projects on their land; establish local land use committees to make decisions on how community land is managed, with at least 30 per cent representation for women; and ban industrial development in ecologically sensitive areas. When communities use the law to claim their rights and to advocate for positive policy changes, they are building strong, responsive and democratic institutions, which is key to the successful implementation of SDG 16.

Chapter 2



Advancing access to justice, the rule of law and economic prosperity

Kathryn Grace Hulseman
World Justice Project⁴

Introduction

The persistence of poverty and inequality is not inevitable but the COVID-19 pandemic set back any progress that had been made on tackling inequality since 2015. Significant strides were made in decreasing extreme poverty between 1990 and 2019. The global poverty rate declined from 38 per cent to 8.4 per cent (World Bank 2022: 2). This progress has slowed in recent years, in part due to the COVID-19 pandemic which ‘triggered the first increase in extreme poverty in more than two decades’ (World Bank 2022: 2). In contrast to prior, more localized economic shocks, the entire world felt the jolt of the pandemic and resulting economic contraction, which ‘led to widespread losses in employment and income as people stopped working and reduced consumption in every region of the world’ (World Bank 2022: 3). While nearly everyone experienced COVID-19 shocks in some way, those shocks were not felt equally. Inequality increased and people living in poverty were disproportionately affected by lost income (World Bank 2022: 3). The increase in poverty and inequality poses a huge threat to human well-being and to achievement of the Sustainable Development Goals (SDGs).

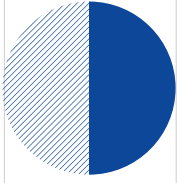
Poverty is the foremost impediment to human flourishing.⁵ The 2030 Agenda recognizes that tackling poverty is ‘the greatest global challenge and an indispensable requirement for sustainable development’ (UN General Assembly 2015: Preamble). SDG 1 seeks to ‘end poverty in all its forms everywhere’ (UN DESA n.d.a). The other 16 SDGs can be understood not as later and separate aspirations, but rather as integrated elements that contribute to

holistic and inclusive development. While each of the SDGs can be considered on its own, it is impossible to achieve one without the others.

The goals of eliminating poverty, securing the rule of law and advancing access to justice are indisputably intertwined. This chapter discusses the interdependencies between SDG 1 and SDG Target 16.3, which seeks to ‘promote the rule of law at the national and international levels and ensure equal access to justice for all’ (UN DESA n.d.b). This chapter explores the interconnectedness of poverty, access to justice and the rule of law, leveraging data from the World Justice Project (WJP). It highlights the continued challenge of data availability on Target 16.3. Recognizing the immediacy of this challenge, the chapter then reiterates the critical importance of galvanizing action on Target 16.3, SDG 1 and the 2030 Agenda overall.

Photo by Ash Wade





In 70 per cent of the countries surveyed, people living in poverty were more likely to experience non-trivial legal problems than people not living in poverty.

The interconnectedness of poverty, access to justice and the rule of law

Poverty can be defined in various ways. In economic terms, the World Bank classifies people living on less than US\$ 2.15 per day as being in extreme poverty.⁶ It categorizes countries as low, lower-middle, upper-middle or high income based on gross national income per capita (World Bank n.d.c). More holistically, poverty is the condition of lacking income and access to healthcare, education and adequate living standards (Alkire, Kanagaratnam and Suppa 2023), which negatively impacts well-being and unjustly limits individual ability to fully participate in society (United Nations n.d.). Another way of understanding poverty is as an experience of powerlessness (Sepulveda Carmona and Donald 2015: 11). For someone living in poverty, this lack of power can have serious and cascading consequences, which includes an inability to fully exercise their rights and gain access to justice.

Failure to eliminate poverty is a failure to ensure the rule of law and access to justice, and vice versa. At both the individual and the national levels, the elimination of poverty and achievement of Target 16.3 are intrinsically linked. The relationship is bi-directional: at the individual level, the experience of poverty can make someone more vulnerable to experiencing injustice. At the same time, experience of injustice can threaten socio-economic and financial stability. At the national level, limited economic resources are associated with less adherence to the rule of law and can constrain the delivery of justice services (World Justice Project n.d.). Conversely, gaps in the rule of law can contribute to conditions that enable poverty, for example, by disincentivizing investment, thereby impeding economic growth (Haggard, McIntyre and Tiede 2008: 208).

Individual level

At the individual level, unofficial data indicates that justice is often further out of reach for people living in poverty. While there is a lack of official poverty status-disaggregated data available for the Target 16.3 indicators, unofficial data from the WJP offers important insights into how people living in poverty experience access to justice. Leveraging legal needs

survey data from more than 100,000 households and 103 countries, the WJP conducted poverty-status-disaggregated analysis of people's civil and administrative legal problems and their experiences in resolving them.⁷ The results are alarming. In 70 per cent of the countries surveyed, people living in poverty were more likely to experience non-trivial legal problems than people not living in poverty (World Justice Project 2023b: 20).⁸ The greatest wealth-based inequality was observed with regard to family-related legal problems. In 78 per cent of countries, people living in poverty were more likely to experience such problems than people not living in poverty (World Justice Project 2023b: 20). Furthermore, when legal problems arose, people living in poverty tended to be more likely to encounter barriers to resolving them and to experience hardships, such as health-related, interpersonal or financial consequences, as a result (World Justice Project 2023b: 19, 22).⁹

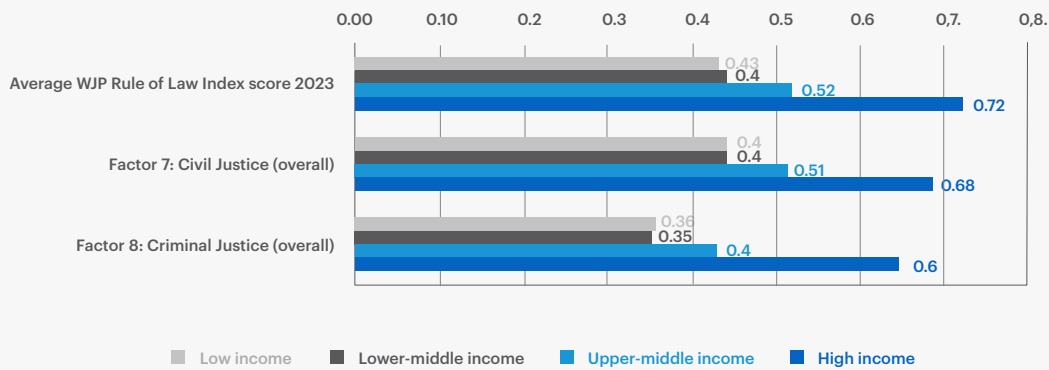
In addition, people living in poverty frequently experience heightened socio-legal vulnerability, which can increase the likelihood of experiencing injustice. In 70 per cent of the countries surveyed by the WJP, people living in poverty were less likely to have official proof of identity, such as a birth certificate or passport (World Justice Project 2023b: 28). When someone is unable to prove who they are, it is more challenging—if not impossible—for them to access the services and resources to which they are entitled, including those related to justice and the rule of law. The data also indicates that in 94 per cent of countries, people living in poverty are less likely to have proof of housing or land tenure, such as a lease or deed (World Justice Project 2023b: 28). This can amplify existing vulnerabilities and introduce new ones, leaving people unable to fully exercise their property rights or enjoy the economic benefits associated with them.

National level

The interplay between poverty and Target 16.3 is also evident at the national level. One illustration of this is the fact that the lack of official identification for individuals is much more common in lower-income countries than in higher-income ones. Of the 843 million people around the world who do not have official proof of

Figure 2.1

Average WJP Rule of Law Index scores by World Bank income group, 2023



their identity, such as a birth certificate or government-issued identification, more than 90 per cent live in low- and lower-middle income countries (World Justice Project 2023b: 25). This is closely related to Target 16.9, which seeks to ‘provide legal identity for all’ by 2030 (UN DESA n.d.b). As noted above, the lack of official identification can impede access to justice and full participation in society, and further compounds economic vulnerabilities related to poverty.

In addition, higher-income countries tend to experience greater adherence to the rule of law. The WJP Rule of Law Index® measures the rule of law in 142 countries by analysing data collected from household and expert surveys, aggregating data across eight factors.¹⁰ Each country in the WJP Rule of Law Index has a score ranging from 0 (lowest rule of law) to 1 (highest rule of law). Figure 2.1 shows that, on average, low-income countries experienced the poorest rule of law while high-income countries experienced the greatest rule of law in 2023.¹¹ The trend holds for Factor 7, Civil Justice, and Factor 8, Criminal Justice: high and upper-middle income countries score higher than low and lower-middle income countries in both areas.¹² High-income countries in particular outperform countries from the other income groups on the WJP Rule of Law Index overall, and on Factors 7 and 8 more specifically. Notably, the difference between scores narrows among less wealthy countries, and the average scores of low and lower-middle

income countries vary by 0.01 or less. The data does not allow for any explanatory claims to be made, which underscores the opportunities for further study of the dynamics of the relationship between country income and adherence to the rule of law.

Justice systems in low-income countries face more challenges linked to corruption and inefficiency than those in high-income countries. According to the 2023 WJP Rule of Law Index, high-income countries performed on average more than twice as well as low-income countries on subfactors 7.3 (civil justice is free of corruption), 8.3 (correctional system is effective at reducing criminal behaviour), 8.5 (criminal system is free of corruption), and 8.6 (criminal system is free of improper government influence).¹³ These trends provide further evidence of the relationship between poverty, the rule of law and access to justice by suggesting that people who live in low-income countries may encounter greater corruption within the civil and criminal justice systems than those in other contexts. This also highlights the interlinkages with Target 16.5, which emphasizes the importance of reducing corruption and bribery (UN DESA n.d.b). In addition, this data indicates that engaging with the criminal justice system in low-income countries might be less effective than elsewhere. Overall, this data suggests that experiences of the rule of law and justice might be mediated, at least in part, by economic context.



The lack of official identification can impede access to justice and full participation in society, and further compounds economic vulnerabilities related to poverty.

Limited availability of official data is an impediment to progress

A key barrier to analysing and understanding the relationship between the rule of law, access to justice and poverty is the limited amount of available official data. Table 2.1 lists the three indicators identified by the UN Inter-Agency and Expert Group on SDG Indicators to operationalize the concepts of the rule of law and access to justice. UN member states are encouraged to report data on the SDG indicators but not all do so. As of July 2024, the availability of data on the Target 16.3 indicators as reported in the SDG Global Database varied widely.¹⁴

- Data on crime victimization reporting (Indicator 16.3.1) varies by type of crime. At present, the SDG Database has data available on six sub-types of crime reporting data for the crimes of physical assault, physical violence, psychological violence, robbery, sexual assault and sexual violence. The least covered of these sub-types is psychological violence, as only one country (Belgium) has ever reported data. In contrast, 47 countries have reported data at least once on reporting rates for robbery.
- Of the Target 16.3 indicators, the greatest number of countries have reported data on unsentenced detention (Indicator 16.3.2). In total, 191 countries have reported data on unsentenced detention at least once. However, only 54 per cent of countries have reported gender-disaggregated data. Nine countries reported data in 2023, the most recent year for which data is available.
- Availability of data on access to dispute resolution mechanisms (Indicator 16.3.3)

remains sparse. Only six countries have reported data on this indicator. Four of them have gender-disaggregated data available and only one (The Gambia) has reported data disaggregated by disability status. Three countries reported data in 2022, the most recent year for which data is available.

One critical gap in the official data is the complete lack of data disaggregated by an individual's poverty status. Research suggests that experience of justice is often mediated by personal and demographic characteristics. Data disaggregation allows the identification, understanding and resolution of inequitable variations in justice experience. However, disaggregation by an individual's poverty status is not included in the official guidance on Target 16.3 data collection. Without this information, it is impossible to understand whether or how injustice varies according to experience of poverty. This makes it more difficult to properly target justice policies and interventions. The lack of poverty-status-disaggregated data impedes our ability to fully deliver on the promise of equal access to justice for all.

While unofficial data provides critically important insights into people's experiences of poverty, the rule of law and access to justice, governments have a responsibility to invest in the collection and dissemination of official data. As the providers of public services, including justice and legal services, governments are uniquely positioned to collect and share information on Target 16.3. For example, official data on Indicator 16.3.2 (unsentenced detention) is important as detention systems are run by public authorities. Even where official data is

Table 2.1
Definition of official Target 16.3 indicators

Indicator	Definition
16.3.1	Proportion of victims of violence in the previous 12 months who reported their victimization to the competent authorities or another officially recognized conflict resolution mechanism
16.3.2	Unsentenced detainees as a proportion of overall prison population
16.3.3	Proportion of the population that has experienced a dispute in the past two years and accessed a formal or informal dispute resolution mechanism, by type of mechanism

Table 2.2
Summary of official data availability on the Target 16.3 indicators

Indicator	Description	Number of countries reporting...				
		Any data	Gender-disaggregated data	Disability-Status disaggregated data	In the most recent year	Most recent year available
16.3.1	Physical Assault	36	20	0	6	2022
	Physical Violence	22	14 (male); 16 (female)	0	3	2022
	Psychological violence	1	1	0	1	2021
	Robbery	47	15 (male); 14 (female)	0	6	2022
	Sexual assault	24	4 (male); 8 (female)	0	2	2022
	Sexual violence	14	5 (male); 10 (female)	0	3	2022
16.3.2	Unsentenced detainment	191	103	0	9	2023
16.3.3	Access to dispute resolution	6	4	1	3	2022

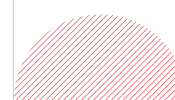
available, however, unofficial data is still relevant: one is not a substitute for the other but a complementary part of the data ecosystem. Unofficial data not only fills gaps, but also serves as an independent check on official data, thereby ensuring accountability and transparency. Advancing progress towards achieving Target 16.3 and SDG 1 in the coming years will require cohesive efforts to support governments to collect and report on official data and collaborate with civil society partners to leverage unofficial data where appropriate.

Driving progress towards a more just world

Time is running out for the 2030 Agenda and leaders must act now. If the global community genuinely cares about eliminating poverty, upholding the rule of law and advancing access to justice, decisive action must be taken at all levels. Most countries are experiencing rates of economic growth that are lower than before the COVID-19 pandemic and ‘one in four developing economies is expected to remain poorer than it was on the eve of the pandemic’ (World Bank 2024b). This economic deprivation is frequently compounded by other injustices. For example, people living in fragile and conflict-affected situations, such as

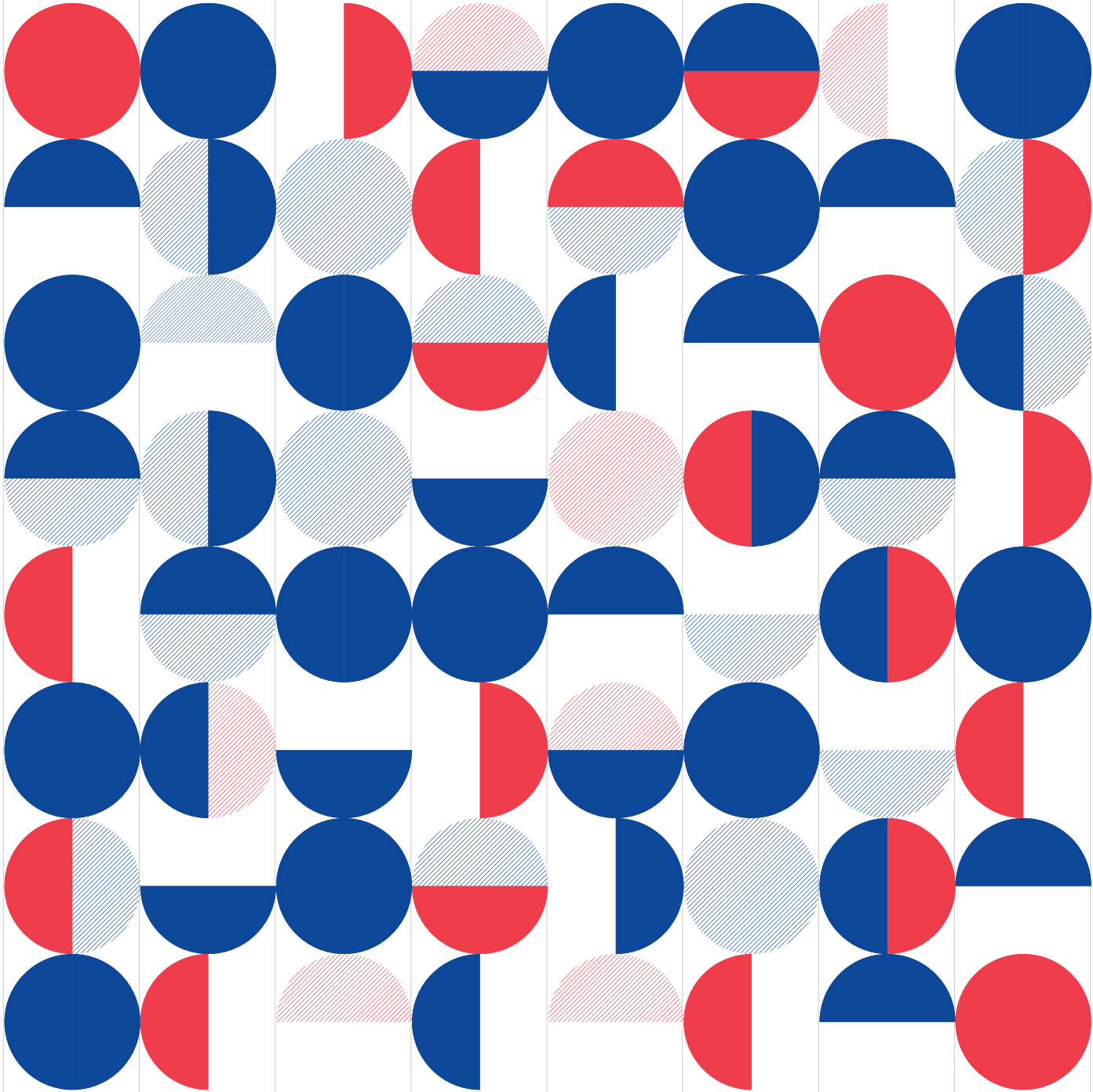
Palestine, Ukraine, Sudan and Myanmar, are more likely to experience food insecurity (World Bank 2024a). The UNDP estimates that the war in Palestine, for example, has led to a more than doubling of the poverty rate and a reduction in human development as measured by the Human Development Index equivalent to a 20-year setback (UNDP 2024). This continued erosion of justice, the rule of law and human development only exacerbates experiences of vulnerability and amplifies the likelihood that many states will fall short of the vision of the 2030 Agenda.

Target 16.3 must remain a priority following the conclusion of the 2030 Agenda. The available data indicates that progress on Target 16.3 by 2030 will have been incredibly limited, but it cannot be written off. To ensure that development is inclusive, sustainable and equitable, the rule of law and access to justice must remain central to policy conversations. The global community will have many issues to address in the coming years, from the climate crisis to democratic backsliding and deepening inequity. None of these immense problems can be resolved without ensuring that people have access to justice and live in strong rule of law communities. If we want to end poverty and guarantee human flourishing, we must start by considering justice.



Time is running out for the 2030 Agenda and leaders must act now.

Chapter 3



Progress on UN Sustainable Development Goal 16.5: A global perspective

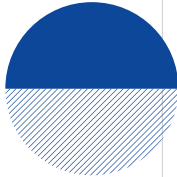
Trevor Loke
Executive Director,
Transparency International
Canada

Overview

Corruption continues to present profound challenges for governance and development worldwide, undermining institutions, stifling economic growth and eroding public trust. United Nations Sustainable Development Goal (SDG) Target 16.5 is a key globally agreed objective that aims to ‘substantially reduce corruption and bribery in all their forms’. The target is measured using two official indicators: the proportion of individuals who had at least one contact with a public official in the past 12 months where they paid or were asked for a bribe (Indicator 16.5.1); and the proportion of businesses for which the same was true (Indicator 16.5.2). Transparency International’s Corruption Perceptions Index (CPI) serves as a key metric for assessing global progress on SDG Target 16.5.¹⁵ It reviews a much more profound set of data sources than the two

official SDG indicators to provide insights into how well countries are doing in terms of addressing corruption, including bribery.

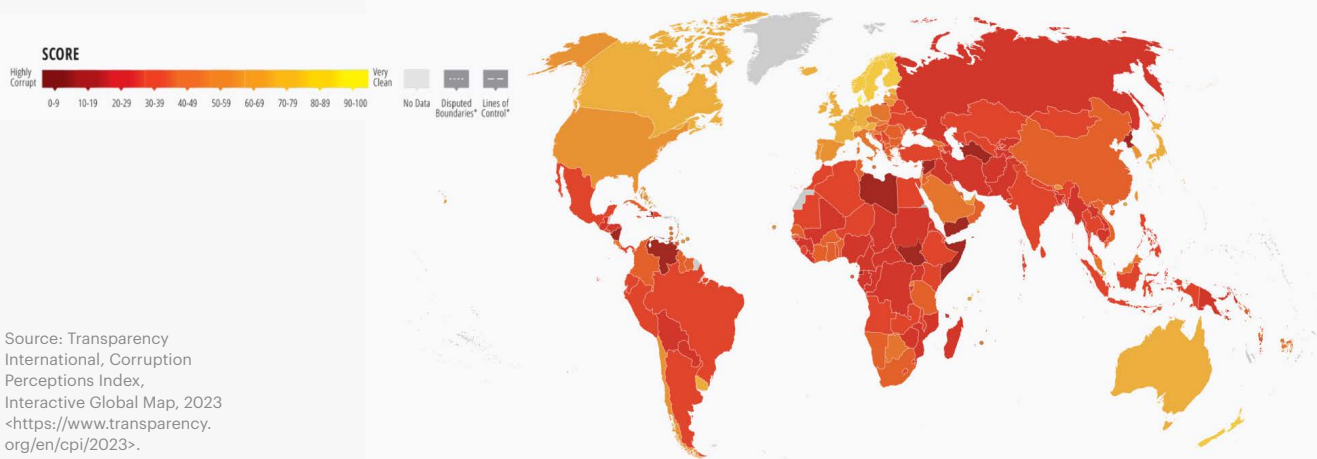
The CPI, which Transparency International has been producing since 1995, provides a measure of the performance of different nations, including longitudinally since 2015 when the SDGs were adopted. A key takeaway from the CPI data is that, when rounded to the nearest whole number, average performance since 2015 among the countries assessed (180 countries annually since 2017) remains absolutely flat, at an average score of 43 points.¹⁶ In other words, the world has made no measurable progress in terms of tackling corruption since the SDGs were adopted. This chapter uses the CPI data to analyse global corruption trends and explore what can be done to meet the ambitious targets of SDG 16.5.



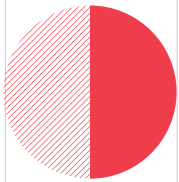
The world has made no measurable progress in terms of tackling corruption since the SDGs were adopted.

Figure 3.1

The Transparency International Corruption Perceptions Index 2023 Interactive Global Map



Source: Transparency International, Corruption Perceptions Index, Interactive Global Map, 2023 <<https://www.transparency.org/en/cpi/2023>>.



Sub-Saharan Africa, and Eastern Europe and Central Asia are the two weakest scoring regions, which are still grappling with entrenched corruption.

Global corruption trends

The 2023 CPI shows that while Western European nations and a few countries in Asia have experienced considerable success in tackling corruption, significant challenges remain, particularly in the Global South. Countries such as Denmark, New Zealand and Finland, which together have occupied the top three spots on the Index since 2015, perform exceptionally well. They are ranked as the least corrupt globally, probably at least in part due to their strong governance frameworks, robust democracies, vigorous systems for public accountability and openness to data reporting and citizen access.

In contrast, sub-Saharan Africa, and Eastern Europe and Central Asia are the two weakest scoring regions, which are still grappling with entrenched corruption. In 2023, Somalia ranked in last place on the CPI, and South Sudan, Syria and Venezuela tied for second from the bottom position. Regionally, the 49 countries in sub-Saharan Africa earned an average score of just 33 points, which Transparency International ascribed, in part, to challenges in the areas of democracy and the rule of law. Eastern Europe and Central Asia as a region had an average score of 35 points among its 19 countries. Transparency International highlighted ‘dysfunctional rule of law, rising authoritarianism and systemic corruption’ as reasons for the low scores. The Middle East and North Africa was third last among the regions. The average score of 38 points among its 18 countries was seen as ‘reflecting ongoing struggles with political corruption and conflict’. The 32 countries of the Americas averaged 43 points, where a ‘lack of judicial independence and weak rule of law’ was seen as ‘enabling

widespread impunity’. The 31 countries of the Asia-Pacific region averaged 45 points while Western Europe and the European Union were in a strong top position, with an average of 65 points among their 31 countries.

Longitudinal insights

As noted above, progress on the CPI globally has essentially flatlined since 2015. Table 3.1 shows very minor and uneven progress since 2015, and 2023 logs in at less than one point higher than 2015. The strongest year, perhaps improbably, was 2020. The figures show a steady if slow climb to that peak and then a steady, slow decline from there to the 2023 score. It is not clear that important conclusions can be drawn from this data. Among other things, a number of countries that scored above average globally in 2023 were missing from the data pool in 2015, potentially accounting for the somewhat lower score that year.¹⁷

However, a longitudinal comparison across regions reveals some interesting results (see Table 3.2). Since the global averages remained almost the same over this period, it might be expected that some regions improved while others declined, and the data reflects this. Significantly, the largest average decline was in the highest-scoring region of Western Europe and the European Union, which fell by two points. The largest average increase was in the Americas, which increased by two points. Asia-Pacific, the second highest region in 2015, and Eastern Europe and Central Asia, which tied for lowest region in 2015, both increased by two points over this period. The regional changes are thus largely unrelated to the starting position in 2015.

Table 3.1
CPI global average by year

2015	2016	2017	2018	2019	2020	2021	2022	2023
42.60	42.95	43.07	43.12	43.17	43.34	43.27	42.98	42.97

Source: Transparency International <<https://www.transparency.org/en/cpi/2032>>.

Table 3.2
Longitudinal comparison across regions

Region	2015	2023	Difference
Americas	40	43	+3
Asia-Pacific	43	45	+2
Eastern Europe and Central Asia	33	35	+2
Middle East and North Africa	39	38	-1
Sub-Saharan Africa	33	33	0
Western Europe and European Union	67	65	-2

Source: Transparency International <<https://www.transparency.org/en/cpi/2032>>.

This is less true for individual countries. Looking at the 31 countries where scores changed by five or more points between 2015 and 2023, 16 increased their scores and 15 decreased their scores over that period, so an almost equal number went in each direction. Of the 16 which increased their scores, 12 had a starting (2015) score of 37 or lower in 2015, which was the median score for that year, and four had a score greater than 37. This makes sense since it is easier to go up if you start with a lower score. Almost the opposite was true for countries that dropped by five or more points. Four had scores of 37 or lower and 11 had scores above 37, which again makes sense for the same reasons, since it is easier to go down if you start with a higher score.

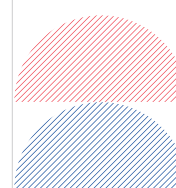
Examining the countries that dropped their scores dramatically over this period highlights some perhaps surprising results. Two very high-scoring countries fall into this category: Sweden and Canada. Both dropped seven points, from 89 points for Sweden and 83 points for Canada, but each just dropped two rankings—from 4th to 6th place for Sweden and from 10th to 12th place for Canada. However, the United Kingdom dropped 10 points, from 81 to 71, dropping from 11th to 20th place. Some very weak countries also dropped dramatically, such as Liberia (from 37 to 25 points, 83rd to 145th place) and Nicaragua (from 27 points to 17 points, 130th to 172nd place).

Among the countries that increased their scores dramatically, the gains were much larger than the losses observed in the above groups of countries. Angola increased its score by 18 points (jumping 42 places from 163rd to 121st), Seychelles by 16 (jumping 35 places from 55th to 20th), Timor-Leste by 15 (jumping 53 places from 123rd to 70th) and Uzbekistan by 14 (jumping 32 places from 153rd to 121st). Estonia was the only stronger country in 2015 to experience a significant increase in its score (from 70 to 76 points) but some initially very poor performers improved significantly, such as Angola (from 15 to 33 points), Uzbekistan (from 19 to 33 points), Nepal (from 27 to 35 points) and Ukraine (from 27 to 36 points).

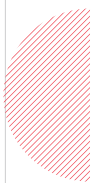
Comparison with official data

The CPI results, which suggest that there was virtually no improvement in addressing corruption between 2015 and 2023, do not align with official results published by the United Nations. The leading UN report on progress on SDG 16, which assesses progress on SDG Target 16.5 through the lens of the two official indicators—bribes asked for and paid by individuals and businesses—states that there has been a ‘moderate decline in the global average of bribe prevalence’ since the SDGs were adopted (UNDP, UNODC and OHCHR 2014).

There are a number of possible reasons for this difference. The first, and most obvious, is that the scope of the official indicators is very narrow, looking only at bribes, which are clearly only one aspect of



Among the countries that increased their scores dramatically, the gains were much larger than the losses observed in the above groups of countries.



The CPI suggests that virtually no progress has been made while the official data suggests a 'moderate decline in bribery'.

how corruption manifests itself in society, such as the corrupt allocation of licences, permits and other official authorizations, or the non-prosecution of individuals for crimes on the basis of improper influence.

In contrast, the CPI relies on a much broader set of data sources. The CPI is in essence a secondary data source that draws on 13 data sources from 12 different institutions.¹⁸ These capture a wide range of different corruption perception values and each of the 13 data sources themselves comprises a range of different types of data. Different data sources are used in each country, based on the fact that each data source covers a different set of countries. For a country to be assessed on the CPI, it must be included in at least three data sources. The data values from each source are standardized to a scale of 1 to 100 and then averaged for each country, from among all the data sets that apply to the country.¹⁹ For example, nine data sources were available for Denmark, the top-scoring country in 2023, while six were available for Somalia, the bottom-scoring country in 2023. As a result, different corruption perception values were assessed for each country. To give a sense of the breadth of measurement, among the values included in the different sources were: (a) accountability of the executive to oversight institutions; (b) access by civil society to information mechanisms to prevent officials and politicians from accepting bribes; (c) prosecution of officials who abuse their positions; (d) separation of the civil service from the political side of government; and (e) the presence of an independent judiciary.

The methodologies behind the two assessments are also very different. As noted above, the CPI draws on a broad range of data sources generated by a large number of institutions. Averaging out a large number of data sources helps to smooth out any weaknesses in a particular data point. The data for Indicator 16.5.1 is drawn from responses to the United Nations Survey on Crime Trends and Operations of Criminal Justice Systems (UN-CTS) and the Global Corruption Barometer (UNDP, UNODC and OHCHR 2024: 56). Data for Indicator 16.5.2 is drawn from responses to the World Bank Enterprise Surveys (UNDP, UNODC and OHCHR 2024: 57). It is beyond the scope of

this report to delve into the methodologies behind these data sources but suffice it to say that they are very different from the CPI methodology.

Overall, therefore, it is hardly surprising that there might be a gap between the results as assessed by the official indicators and the CPI. What is perhaps more significant is the narrowness of that gap. The CPI suggests that virtually no progress has been made while the official data suggests a 'moderate decline in bribery'. More specifically, comparing the period 2010–2016 with 2017–2023, the official data suggests a decline in individual bribery from 18.3 per cent to 17.0 per cent in countries for which data is available for both periods, or a drop of about 7 per cent (UNDP, UNODC and OHCHR 2014: 56). This is only marginally higher than the approximately 1 per cent improvement in the CPI based on 2015 and 2023, and could be explained in part by data biases based on the countries that are screened into the official data sets.²⁰

Underlying factors

The factors underlying the greater challenge of corruption are complex and it is not possible to extract them all from the data. For example, the complex relationship between culture and corruption has been widely studied (see e.g. Klitgaard 2020). Nonetheless, some trends are clear from the data. First, both the CPI and the official data show that richer countries tend to be less corrupt. The UN report highlights this for both individual and business bribery. In relation to the former: '[T]he average prevalence of bribery in low-income countries was 31.5 percent, 27.0 percent in lower middle-income countries, 15.3 percent in upper middle-income countries, and 8.4 percent in high-income countries' (UNDP, UNODC and OHCHR 2014: 55–56).

In its assessment of corruption by region in its presentation of the 2023 CPI results, Transparency International identifies a number of underlying factors that lead to higher levels of corruption in those regions that did less well on the CPI: (a) challenges in the area of democracy, including rising authoritarianism and political corruption; (b) weak systems for the rule of law, including a lack of judicial independence; (c) systemic corruption,

with all that implies across all aspects of society; (d) weak institutions, especially oversight and enforcement institutions; (e) a lack of transparency in relation to public authorities; and (f) conflict, which affects almost all of the other factors

It is beyond the scope of this chapter to analyse all of the factors that might support corruption or, conversely, hinder anti-corruption efforts. Some likely factors might include a lack of trust in public institutions, a lack of political will to put in place strong anti-corruption measures or to enforce the measures already in place, and the increasing challenge of policing corruption in the context of online crime in a rapidly changing digital landscape.

The path forward

The fight against corruption is a global, regional and national challenge. Sustained and coordinated efforts across regions and sectors are needed alongside similarly sustained national efforts. The CPI data provides invaluable insights into the state of corruption worldwide, highlighting both progress and ongoing challenges and even backsliding in some cases. Precise needs vary from country to country. However, if the world as a whole is going to make any progress at all on SDG Target 16.5, it is clear that more sustained efforts will be required. Some general areas for action apply across contexts:

– **Develop and enforce an appropriate anti-corruption legal framework:** Many states need to review and bolster their legal frameworks on anti-corruption efforts. While the specifics vary, some common areas involve putting in place strong criminal prohibitions on corrupt actions; bolstering transparency, including through strong access to information and protection of whistleblower laws; requiring corporate actors to have sufficiently strong anti-corruption measures in place; and addressing transnational corruption. Legal frameworks are only effective if they are enforced and more needs to be done in many states to ensure proper enforcement of anti-corruption laws.

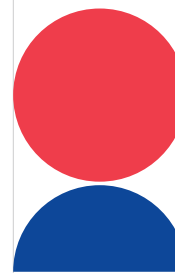
– **Adopt beneficial ownership transparency rules:** Jurisdictions that do not yet have rules in place that mandate the creation of effective and publicly accessible beneficial ownership registries, which require full disclosure of who owns a business or property, should adopt and then implement rules to ensure that the real beneficiaries of corporate activities are known. Where entities can be incorporated in jurisdictions at the subnational level, it is critical that those jurisdictions are covered by beneficial ownership transparency rules to avoid the creation of loopholes that can be exploited by entities hiding their beneficiaries.

– **Bolster public sector oversight:** Much of the framework for enforcement of anti-corruption measures depends on the existence of independent, well-resourced regulatory bodies to monitor and enforce measures, especially in high-risk sectors such as real estate, construction and public procurement, where regulatory capture is more likely. Many states are yet to create such bodies while others must bolster their independence and/or increase the resources that are available to them.

– **Foster international cooperation:** Far more needs to be done through existing collaborative frameworks and institutional structures to harmonize anti-corruption standards, coordinate anti-corruption efforts, share best practices and enhance cross-border enforcement.

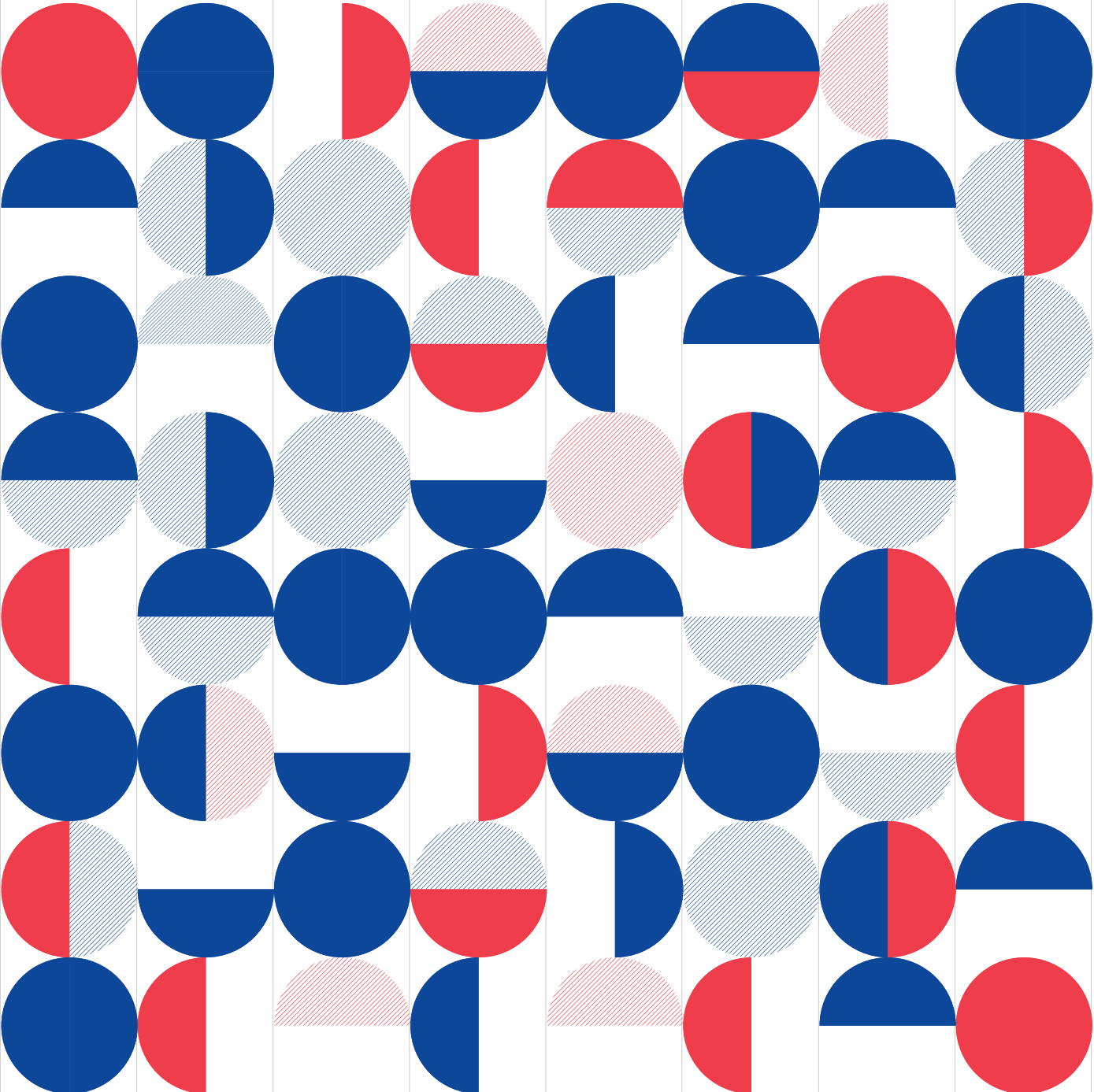
– **Engage civil society and the public:** Civil society organizations and the wider public are important allies for public actors in the fight against corruption. State actors should collaborate with civil society and invest adequate resources in increasing public awareness about and engagement with anti-corruption work, including on existing projects such as the SDG16 Data Initiative or Transparency International's CPI.

Ongoing commitment from all sectors—government, business and civil society—will be essential if progress is to be made in relation to Target 16.5 by 2030.



The fight against corruption is a global, regional and national challenge.

Chapter 4



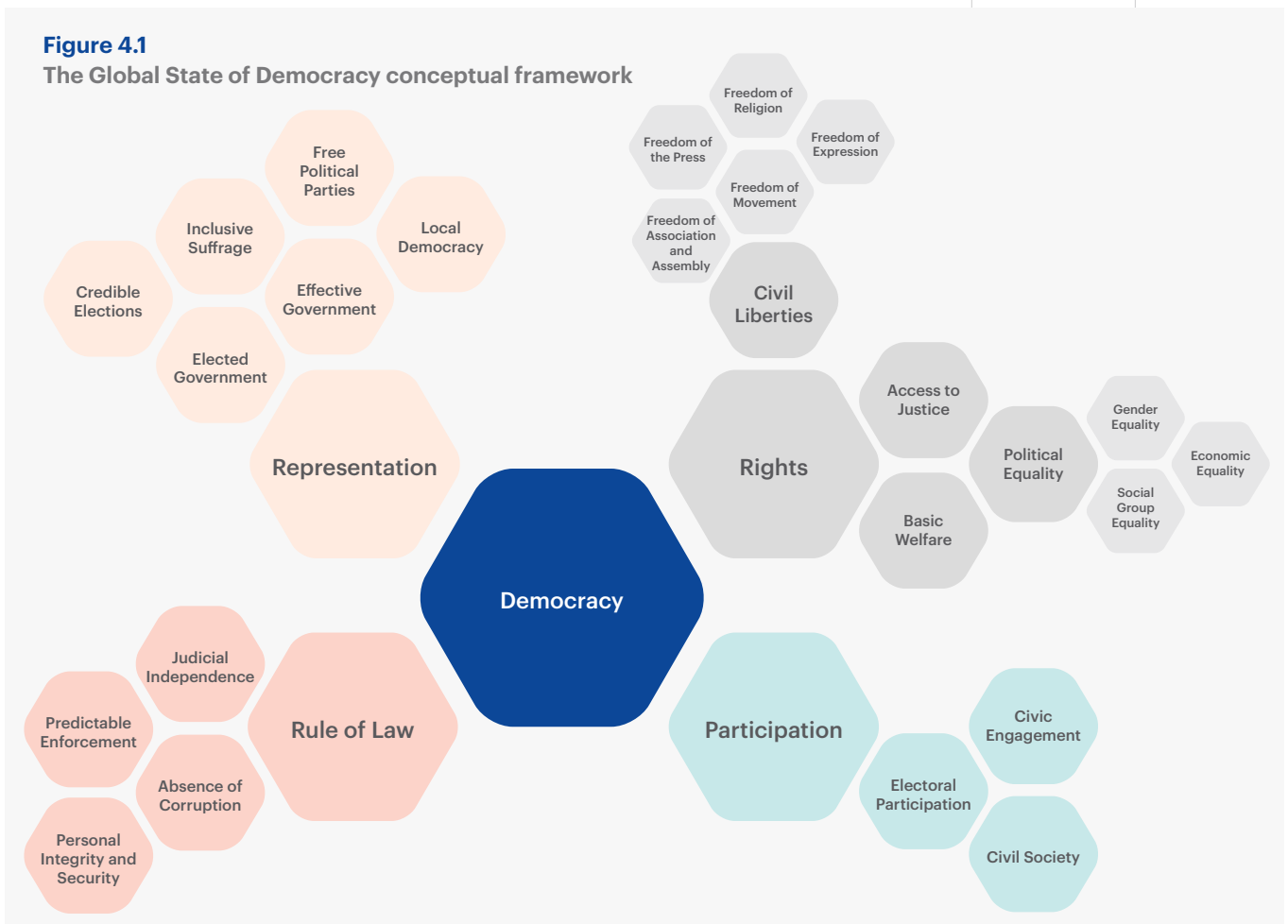
SDG 16.3, SDG 1 and SDG 10.1: How economic inequality and extreme poverty harm access to justice

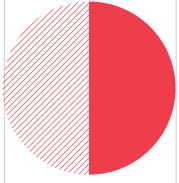
Emily Bloom and
David Towriss
International IDEA

Whether democracy is delivering is a question that has come to occupy democracy assistance practitioners across the world. Against a backdrop of growing economic inequality and stagnating poverty reduction, however, it would seem that the more apposite inquiry might be whether democracy is delivering *for everyone* (Qureshi 2023; *The Economist* 2024). Answering this question requires an understanding of what democracy is, and how these phenomena are affecting democratic institutions and

their ability to live up to their governance promises. Among these promises is fair and equal access to justice that allows citizens to assert their democratic rights and, in so doing, reinforces the two pillars of International IDEA’s definition of democracy: popular control over decision makers and equitable exercise of that control. It is important to note that this definition, as conceptualized in the framework in Figure 4.1, includes economic equality as a key component of political equality.

Figure 4.1
The Global State of Democracy conceptual framework





A higher proportion of people living below the international poverty line is statistically linked to weaker access to justice. In countries with more poverty, citizens tend to face more obstacles in accessing legal support and formal justice systems.

International IDEA's contribution to this report focuses on the intersection between Target 3 of UN Sustainable Development Goal (SDG) 16, on the rule of law and access to justice, and SDG 1 on poverty eradication and Target 10.1 on reducing income inequalities. It examines the extent to which the most marginalized sectors of the population experience the benefits of democracy. With this broad endeavour in mind, the chapter first examines the relationship between poverty and access to justice. It uses expert-coded data and observational data from the World Bank and International IDEA's Global State of Democracy (GSoD) Indices to test the hypothesis that higher levels of extreme poverty are correlated with weaker access to justice.²¹ This approach is mirrored in the next section, which focuses on the relationship between economic inequality and access to justice, and uses the GSoD Indices and the GINI disposable income inequality index to test the hypothesis that higher levels of income inequality are correlated with weaker access to justice.²² The chapter ends with a case study on Chile, which explores these two relationships over the course of 35 years. The findings confirm the threat that both poverty and inequality pose to equitable access to justice and the promise of democratic governance, and underscore the importance of inclusive development to the achievement of SDG 16.3.

Access to justice and poverty

The relationship between poverty and access to justice is complex and there are many ways in which poverty limits access to justice. This analysis finds a statistically significant negative correlation, where a higher proportion of people living below the international poverty line (IPL) correlates with lower levels of access to justice.²³ Put differently, countries where poverty affects more people tend to perform less well on access to justice.

Around the world and in diverse contexts, people living in poverty face institutional and systemic obstacles that prevent them from accessing justice ([Justice Data Observatory 2024](#)). For example, in cases of restricted access to legal aid, a lack of financial resources can prevent people from obtaining legal advice and pursuing legal issues due to prohibitive legal fees

and court costs ([Gargarella 2002](#); [Dubin and Lawson 2017](#); [Kenyan National Legal Aid Service 2024](#)).

A 2021 survey of 13 low- and middle-income countries found that people living in poverty are less able to gain access to formal legal institutions for dispute resolution and often rely on people from their social environment for legal information instead of engaging professional legal counsel ([HiiL 2021a](#)). In such cases, under the right conditions, informal systems of justice can provide economically marginalized segments of society with alternative pathways to justice ([World Justice Project 2023b](#)). In Sierra Leone, which is mid-performing on Access to Justice according to the GSoD Indices, and where extreme poverty is prevalent, about 70 per cent of people use informal judicial mechanisms such as informal customary courts or adjudication by traditional authorities, due to the cost of legal representation and a lack of confidence in the formal justice system damaged by more than a decade of civil war ([Haider Malik and Lahoud Maghani 2023](#)). Of course, inequalities can persist in informal justice systems and more work is needed to understand when and how informal pathways can work and who they serve. Certain policies, such as penalties for behaviour linked to the experience of poverty, can compound disadvantage. Examples might include penalties for public transport infringements or public nuisance offences for the homeless ([Law Council Australia 2018](#)), or the criminalization of homelessness ([OHCHR 2024a](#)). These make the justice system a worry, rather than a support. A crackdown on organized crime in El Salvador, where Access to Justice scores have declined in the past five years, for example, has disproportionately affected the country's poorest and most marginalized neighbourhoods ([Barrera 2024](#)).

In addition, geographical and physical barriers to access to justice can be more severe for people living in poverty. The absence of the police, courts and other institutions necessary for the administration of justice in rural and poorer areas is a common problem. Malaysia's judiciary has developed a mobile court system through which court officials travel to (often remote) areas affected by poverty

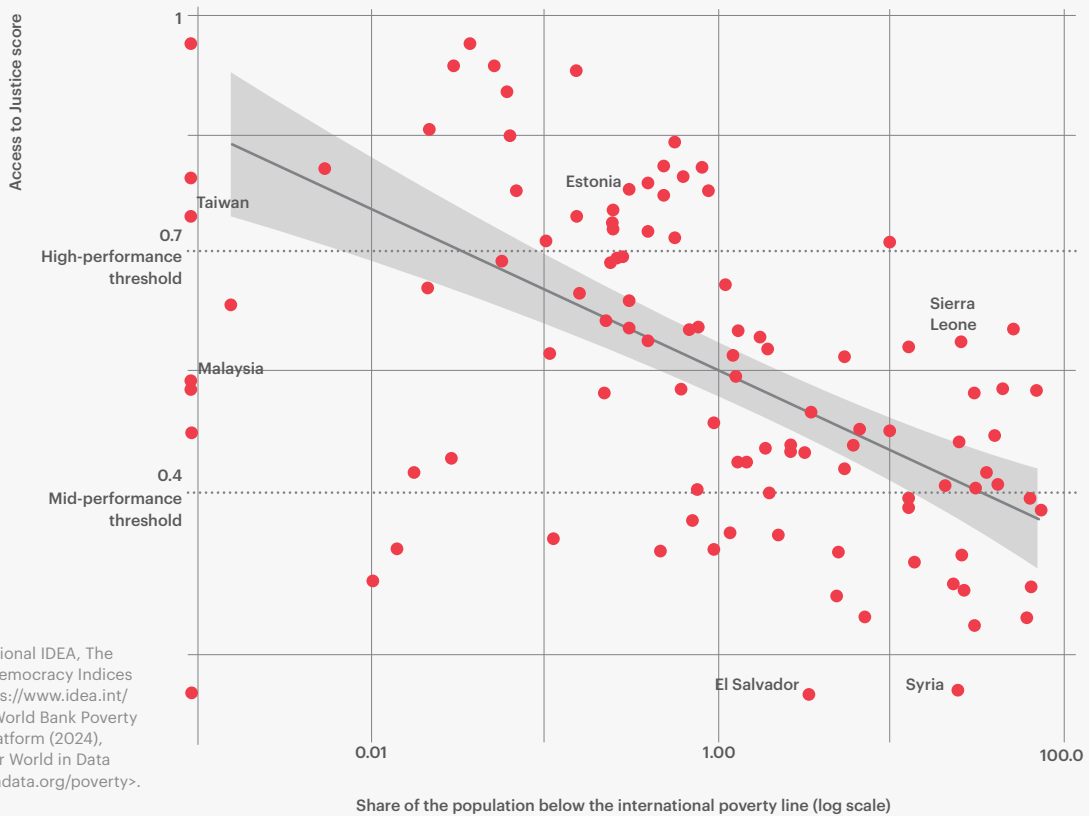
to set up temporary courts. This has facilitated the birth registration required to access education and obtain an identity card (Ali 2019; e-Kehakiman Sabah and Sarawak 2023).

There are also promising cases where geographical and physical barriers have been lowered through digital solutions; for example, Estonia, which is high-performing on Access to Justice, has established a comprehensive system for the online processing of cases and e-communication with courts (e-Estonia n.d.; European Commission 2023). However, such measures may not always reach communities facing economic difficulties. Digitalizing the judiciary was rolled out in high-performing Taiwan in 2020 (Lee 2022; Judicial Yuan 2021), but low-income respondents reported less confidence in the court's ability to provide equal access to justice compared to respondents in Taiwan's other income groups (International IDEA 2024b). In some cases, digital

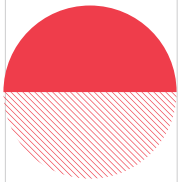
solutions risk exacerbating inequalities in access to justice due to differences in levels of Internet access and digital exclusion, particularly in countries with weak Internet penetration (Quintanilla et al. 2023; HiiL 2021b).

Finally, vulnerable people with financial challenges face disproportionate procedural barriers, ranging from a lack of legal identity to illiteracy (Sepúlveda Carmona and Donald 2015). The crisis of extreme poverty in Syria was exacerbated by earthquakes in February 2024. The subsequent government assistance to those who lost housing or property excluded displaced people, who often struggled to find adequate legal representation and faced challenges in providing documentation on ownership (SJAC 2024). In 94 per cent of the 104 countries surveyed by the World Justice Project, people living in poverty more frequently lack proof of housing or land tenure (World Justice Project 2023b).

Figure 4.2
Relationship between access to justice and extreme poverty in 2023



Sources: International IDEA, The Global State of Democracy Indices v. 8, 2024a, <<https://www.idea.int/gsod-indices/>>; World Bank Poverty and Inequality Platform (2024), processed by Our World in Data <www.ourworldindata.org/poverty>.



A fair legal framework is crucial for breaking the cycle of poverty. Disempowerment and exclusion trap individuals in poverty, and unresolved justice issues limit access to economic opportunities. Without access to justice, the cycle of poverty continues, perpetuating inequality.

The challenge is self-perpetuating and access to justice also influences poverty (Bellsmith et al. 2022). A recent review of the academic literature and policy sources found 19 occurrences connecting justice and poverty reduction, indicating a robust discussion of how justice-based solutions can overcome key drivers of poverty (Cram 2024). Poverty is a result at least in part of disempowerment, exclusion and discrimination, and tackling it requires a fair legal framework. An inability to resolve justice-related problems can reduce access to economic opportunities and trap people in poverty over time, leading to a ‘cycle of decline’ (Hiil 2021a). Studies show that people living in poverty often experience livelihood- and asset-related legal issues regarding land, family, debt and obtaining social welfare (Hiil 2021a; Prettitore 2022). At the same time, economic growth requires safeguards such as respect for the sanctity of contracts, deeds of ownership and fair dispute resolution mechanisms (Open Society Foundations 2019). Thus, ensuring access to justice is an important part of tackling poverty globally (Chapman 2018; Grassroots Justice Network 2009).

Access to justice and economic inequality

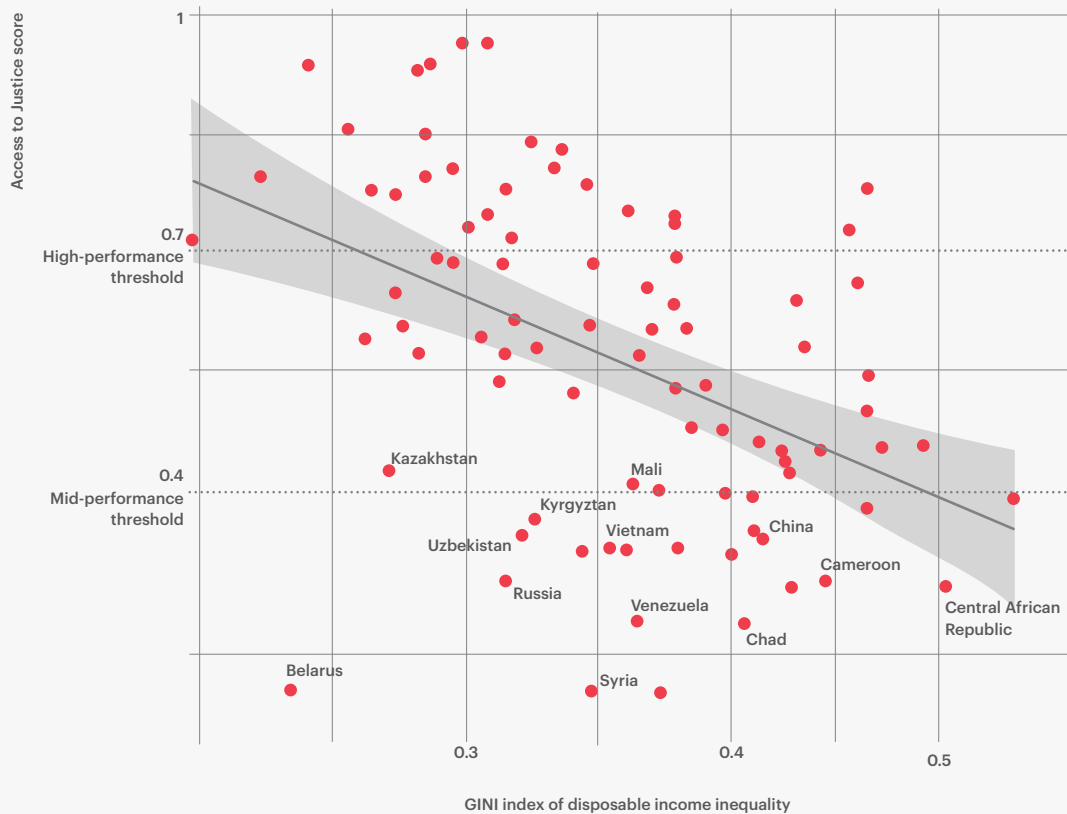
Poverty and economic inequality are closely related but distinct concepts. The former concerns the most economically marginalized members of society, whereas the latter focuses on their position in relation to the rest of society (World Bank n.d.b). There is therefore some overlap in their impacts on access to justice and—like poverty—economic inequality can have profound implications for the justice-related outcomes of those living in poverty. At its most fundamental, the harm lies in the disparities created in people’s ability to engage with the legal system on an equal footing. In most countries, the quality of legal representation is determined by the party’s financial resources, if indeed they have the means to retain a lawyer at all (Scherer 2015; London School of Economics n.d.).

Economic inequality, however, can also lead to other more systemic harms because the concentration of wealth is often accompanied by a concentration of political power, which enables the wealthy to shape the justice system for their own benefit and in ways that are detrimental to people living in poverty (Stiglitz 2012; *The Economist* 2018; Scherer 2015). One such example is cuts to legal aid or state-funded legal assistance—a mechanism that is critical to closing the justice gap described above, but which is often resisted by the wealthy who are generally reluctant to pay the higher taxes needed to fund it (Frank 2019). Instead, they might support measures that subsidize their access to the judicial system, such as tax deductions for legal expenses (Scherer 2015). Where judges are elected and campaign finance regulation is light or absent, the wealthy can use their money to influence who is elected and how they rule once they are on the bench (Keith 2024).

In some contexts, however, the means by which the wealthy seek to leverage their financial advantage can take an even more destructive form. Edward Glaeser, Jose Scheinkman and Andrei Schleifer describe a process by which the wealthy and politically powerful ‘subvert’ legal institutions through intimidation, corruption and other types of influence (Glaeser, Scheinkman and Shleifer 2003). Their conclusions are supported by a subsequent quantitative study, which found a strong correlation between income inequality and corruption (You and Khagram 2005).

Based on the literature, the authors expected to find that higher levels of economic inequality would have a negative impact on access to justice. These expectations were largely borne out by the GSoD Indices and the Gini Coefficient, which showed a statistically significant negative correlation between access to justice and income inequality, albeit a weak one.²⁴ The correlation would undoubtedly have been stronger had the analysis excluded or differentially weighted the negative outliers, which included many current or former communist states as well as countries experiencing armed conflict, coups d’état or other forms of political instability. This could be pursued in future research.

Figure 4.3
Relationship between access to justice and income inequality in 2023



Sources: International IDEA, The Global State of Democracy Indices v. 8, 2024a, <<https://www.idea.int/gsoi-indices/>>; Solt, F., Standardized World Income Inequality Database v.9.7, 2024, <www.fsolt.org/swiid/>.

Poverty, inequality and access to justice in Chile

The availability of time series data from the GSoD Indices, the World Bank and the GINI disposable income inequality index allows exploration of the impact of poverty and inequality on access to justice over several decades. Chile presents a particularly interesting context in which to do this, having dramatically reduced poverty in the late 1980s and 1990s and subsequently invested in major reforms that made access to justice more equitable (DeShazo and Vargas 2006; Justice Initiatives 2004). Further improvements in this area, however, have been constrained by persistently high levels of economic inequality (OHCHR 2024b).

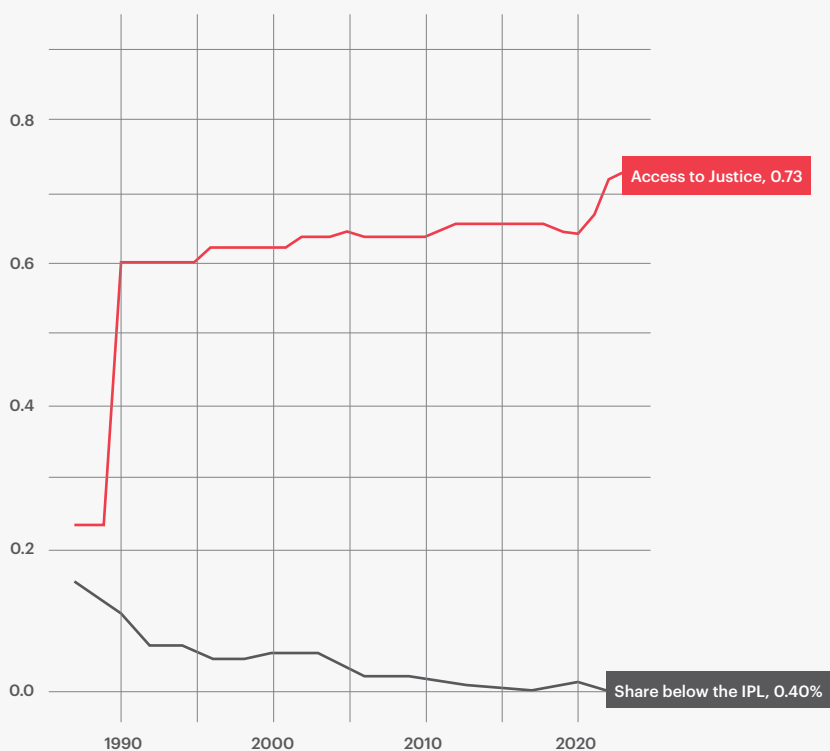
It is important to recognize the historical context in which these economic and judicial developments took place. The 17-year military dictatorship of General Augusto Pinochet between 1973 and 1990 left a legacy of widespread human rights abuses, a highly politicized judicial system and a constitution that enshrines a market-oriented approach to economic development (Snyder 1995; Alemparte 2021). The Pinochet-era constitution has grown increasingly unpopular and many Chileans view it as contributing to the socio-economic inequalities that drove the mass Estallido social protests in 2019 and 2020 (McGowan 2020; Urrejola 2019). Efforts to replace the constitution are ongoing, after Chilean voters twice rejected proposed replacements in referenda held in 2022 and 2023 (Villegas and Ramos Miranda 2023; International IDEA n.d.).

Military rule

World Bank data on extreme poverty starts in 1987 so that is where this case study begins, three years before the end of the military dictatorship. The GSoD Indices score for that year shows that access to justice in this period was extremely limited. The legal system erected by the junta offered little protection against or redress for the widespread human rights abuses perpetrated by the state. Constitutional rights were revoked, politicized courts rarely exercised their powers to review detentions and disappearances, and a broad amnesty law obstructed accountability for abuses committed during the harshest years of the regime (Snyder 1995).

Not all the challenges Chileans faced in accessing justice originated during the junta's rule. Many of the inequities produced by the country's criminal justice system stemmed from its colonial-era model. Those caught up in this system had to navigate opaque and chaotic processes that advantaged those with the means to hire skilled defence lawyers and left people living in poverty inadequately represented and at risk of lengthy pre-trial detention (Justice Initiatives 2004; Serrano and Popovski 2010). In 1987, almost 2 million people (15 per cent of the population) were living in extreme poverty.

Figure 4.4
Extreme poverty levels and access to justice in Chile over time



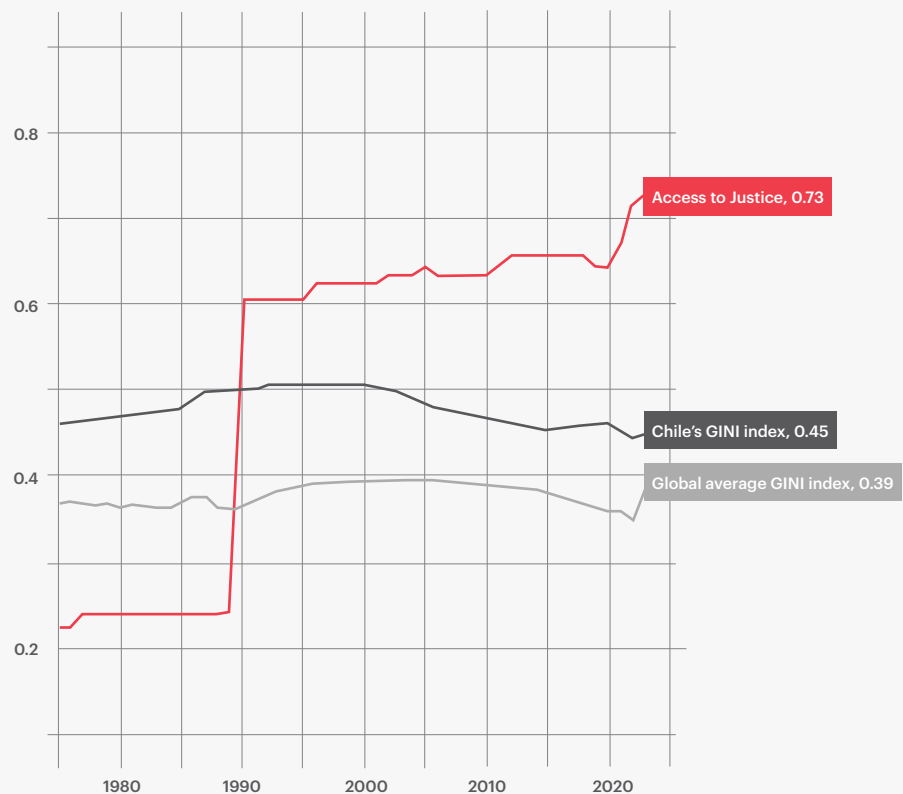
Source: World Bank Poverty and Inequality Platform (2024), processed by Our World in Data, <www.ourworldindata.org/poverty>.

Restoration of democracy

The restoration of democracy in 1990 was a turning point both economically and in terms of access to justice, bringing to power a government committed to judicial reform and fighting poverty. Its poverty reduction strategy, which prioritized economic growth and social spending, quickly bore fruit and by 1996 the number of Chileans living in extreme poverty had fallen to less than 700,000 (International Monetary Fund 2023; World Bank 2024). The most dramatic change in the data, however, was in Chile's Access to Justice score, which rose sharply in 1990 as the repressive rule of the junta made way for a rule of law-oriented government.

One area in which major progress was made in the post-restoration years was criminal justice reform. Between 1995 and 2005, Chile invested substantial resources in modernizing its criminal justice system in ways that made it more transparent and equitable, improving access to justice for the diminishing number of Chileans living in poverty. Among other things, the reforms provided for new due process protections and expanded public defender services (DeShazo and Vargas 2006; Justice Initiatives 2004; Tiede 2012).

Figure 4.5
Change in access to justice and income inequality over time

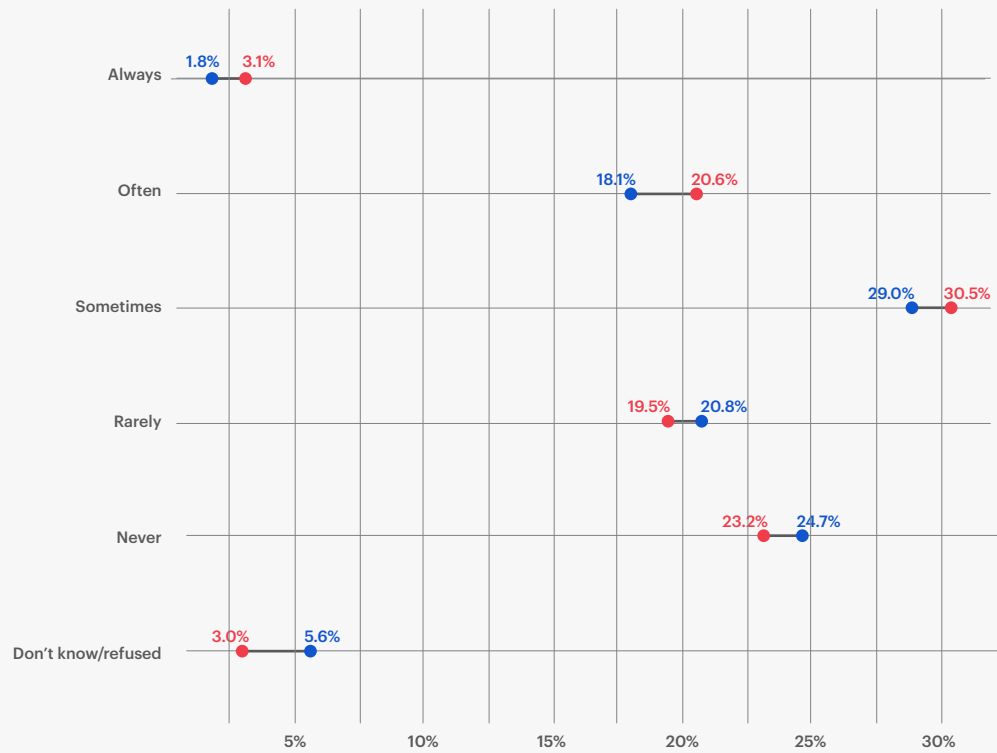


Sources: International IDEA, The Global State of Democracy Indices v. 8, 2024a, <<https://www.idea.int/gsod-indices/>>; Solt, F., Standardized World Income Inequality Database v.9.7, 2024, <www.fsolt.org/swiid/>.

Figure 4.6

Evaluation of the extent to which the court system provides access to justice by income level

● Other income groups
● Low-income group



Source: International IDEA, Perceptions of Democracy Survey, 2024b, <www.idea.int/publications/catalogue/perceptions-of-democracy-survey>.

Social protest, 2019–2020

The advances that Chile has made on access to justice have been constrained by the high levels of income inequality that remain a persistent feature of its economy, despite the current downward trend (Lecaros et al. 2023). Following a recent visit, the UN Special Rapporteur on the independence of judges and lawyers identified several problems with the country’s legal system associated with economic inequality, notably disparities in access to legal representation, discrimination in law enforcement and influence peddling in senior judicial appointments (OHCHR 2024b). Such concerns have grown in the wake of the justice system’s sluggish and partial response to police abuses perpetrated during social protests in 2019–2020 and, notwithstanding the recent spike in Chile’s Access to Justice score, public trust in the judiciary remains low (Justice Studies

Center of the Americas 2020; Lecaros et al. 2023; Center for Global Democracy n.d.; OHCHR 2019; Inter-American Commission on Human Rights 2022).

Conclusions

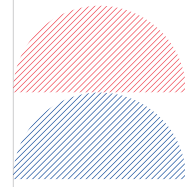
Data from International IDEA’s Perceptions of Democracy Survey shows that low-income Chileans have less faith in the ability of the courts to deliver justice compared to other income groups.²⁵

The Chilean experience provides a useful illustration of the capacity of poverty and inequality to shape access to justice. It also underscores how crucial inclusive development is to the achievement of SDG Target 16.3. In so doing, it highlights the interconnectedness of the SDGs and the need for a holistic approach to the 2030 Agenda. Such an approach will require experts and practitioners working in different disciplines and fields

to collaborate more closely, including through peer-to-peer learning and project co-design. This is particularly important for those working in the fields of democratization and economic development, as there is a growing recognition that they operate in a common ecosystem.

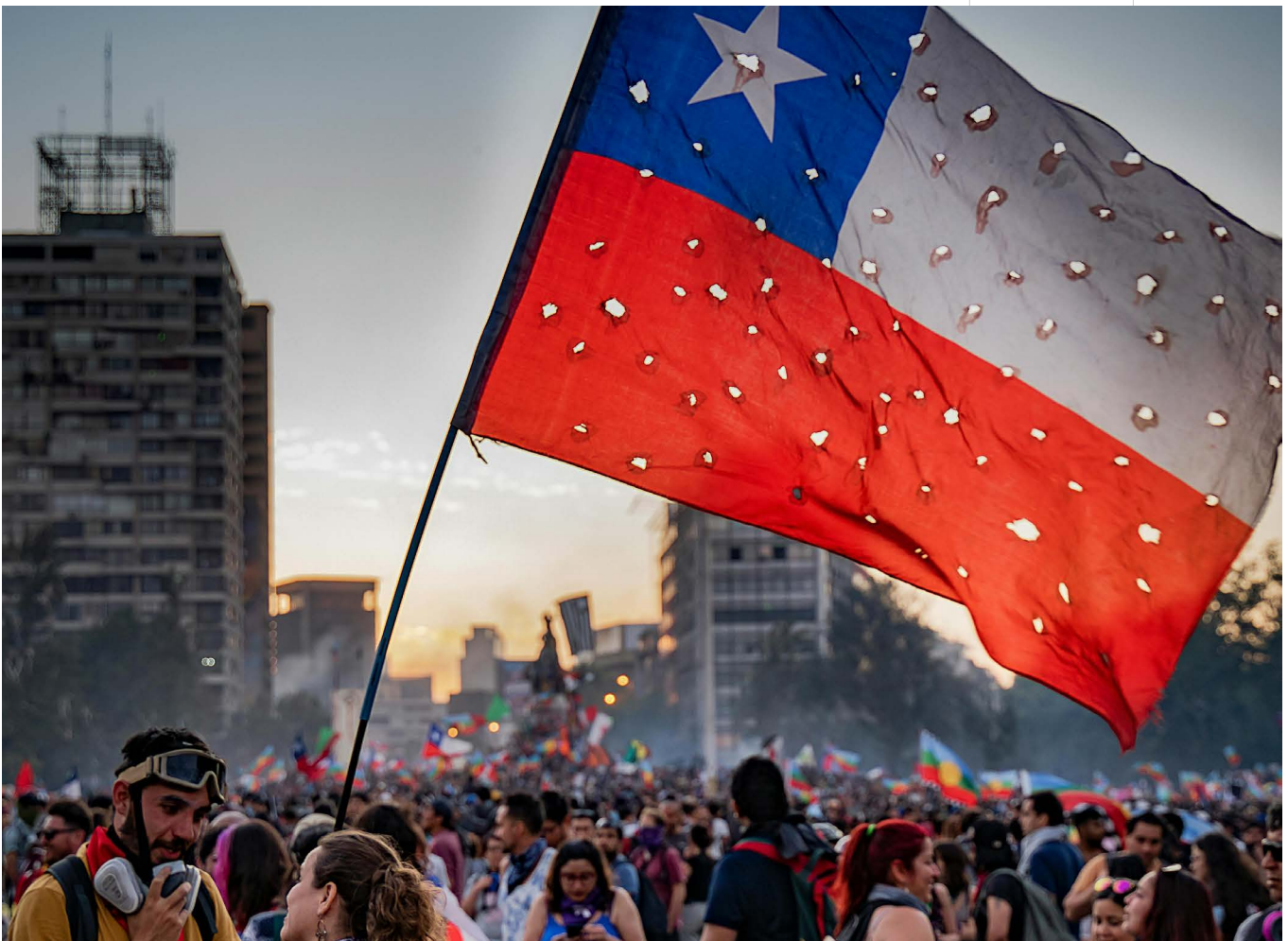
An inclusive approach also needs to be taken to measuring progress on the 2030 Agenda. This demands data and insights from a range of stakeholders, particularly the public, whose perceptions are critical to the task of creating accountable and inclusive institutions at the heart of SDG 16. Organizations monitoring SDG 16 should

therefore integrate perceptions survey data into their research and advocacy, in particular perceptions data from the most vulnerable segments of society. SDG monitors should also include data disaggregated by income, which enables international donors, governments and civil society to identify the specific challenges experienced by economically marginalized groups and how economic marginalization intersects with other forms of marginalization, and ultimately to develop more effective interventions, such as mobile courts and online processing of cases.

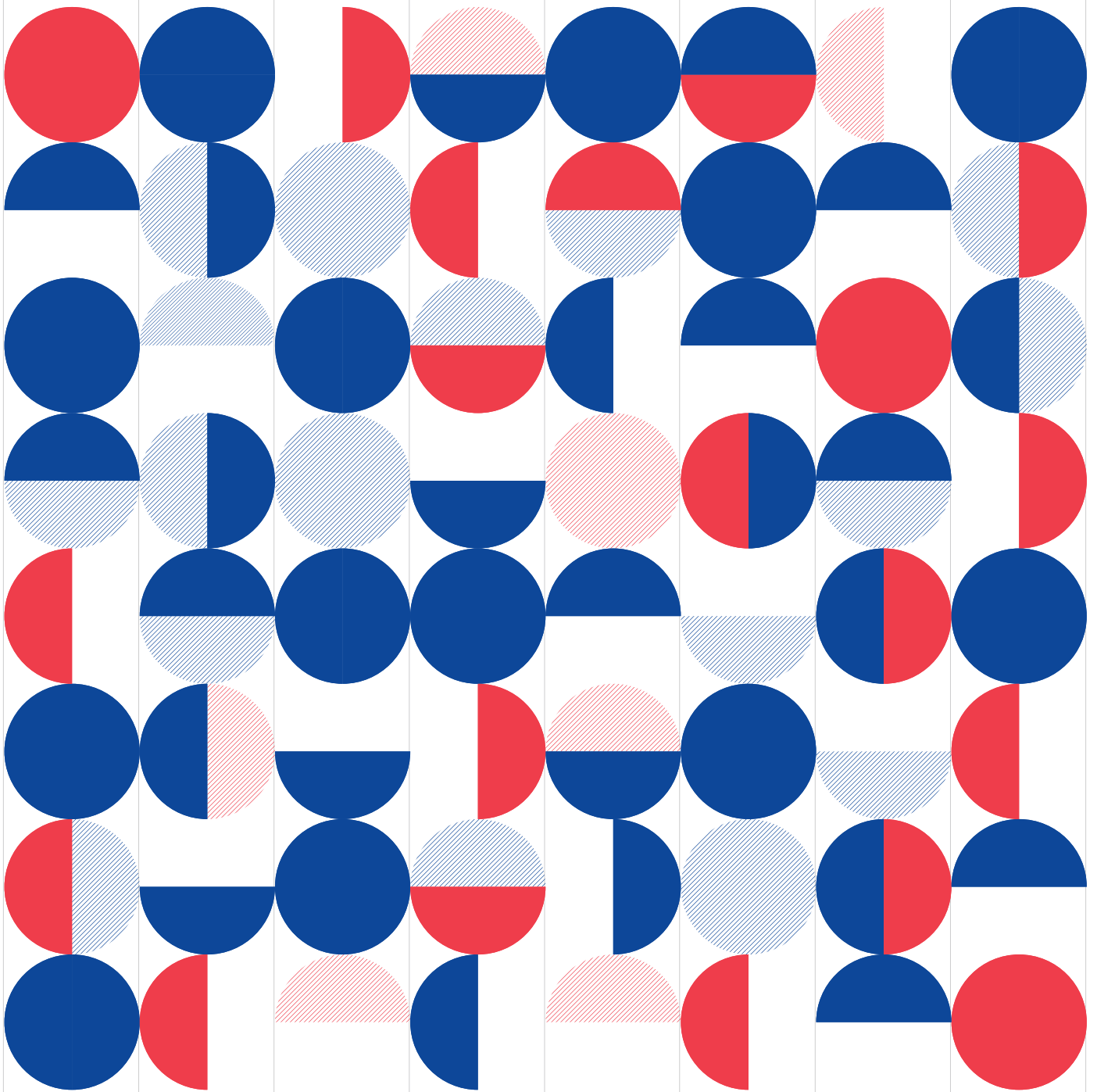


Data from the Perceptions of Democracy Survey shows that low-income Chileans have less faith in the ability of the courts to deliver justice, highlighting how poverty and inequality shape access to justice.

Photo by Hugo Fuentesrally



Chapter 5



States cannot address poverty in secret

Toby Mendel
Centre for Law and
Democracy

Introduction

Indicator 16.10.2: Number of countries that adopt and implement constitutional, statutory and/or policy guarantees on public access to information

Indicator 16.10.2 is one of two indicators under Target 16.10, to 'Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements'. The right of the public to access information has been recognized as a human right, which is increasingly referred to as the right to information (RTI). Nonetheless, at the time of writing, 56 UN member states have still not adopted legislation guaranteeing this right, let alone done so in accordance with international agreements.²⁶ Adopting legislation is the easier part of making progress on Indicator 16.10.2. Implementing such laws presents even more challenges.

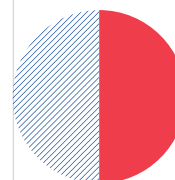
This chapter focuses on how the right to information is foundational to the success of efforts to alleviate poverty. Amartya Sen, Nobel Prize laureate in economics, famously declared that no country with a multiparty democracy and a free press has ever experienced famine. He might well have added that the same is true of countries that practise robust transparency, and gone further to note that no such country has high rates of poverty. The reasons for this, which are part of complex social phenomena, are elaborated on briefly below. The chapter starts by outlining the situation regarding progress on Indicator 16.10.2, based primarily on non-official data.

Progress on Indicator 16.10.2

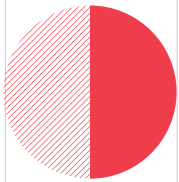
Indicator 16.10.2 focuses directly on progress with the adoption and implementation of RTI laws. It avoids some of the challenges associated with many SDG indicators, which are more 'surrogate' in nature and less directly connected to the target they measure. At the same time, this necessarily means that it is more complex to define the nature or essence of the indicator than for many indicators which simply rely on a particular statistic for each country—even if collecting reliable data to measure that statistic may not always be easy.

The complexity of Indicator 16.10.2 means that methodologies are required to define the characteristics of laws and their implementation that would meet its standards. Data must then be collected from each country to ascertain the degree of progress in terms of meeting those standards. This is somewhat simplified by virtue of the fact that the indicator incorporates a reference to international standards through Target 16.10, thereby providing guidance on the standards that should be deemed to constitute making progress on the indicator.

The first part of Indicator 16.10.2, the adoption of RTI laws, is simpler to address for various reasons. First, international standards on what constitutes a strong law are relatively well developed. Second, it is relatively simple to ascertain whether a country has adopted a law guaranteeing the right to information and then to undertake an assessment of that law against international standards. Third, the extent to which these laws reflect international standards on the right to information has, since 2011, been captured in a highly sophisticated



56 UN member states still lack legislation guaranteeing public access to information, despite it being a fundamental human right. The challenge lies not just in adopting such laws, but in ensuring their effective implementation.



While 63 per cent of countries with RTI laws score 50 per cent or more on the RTI Rating, only 29 per cent meet the 67 per cent threshold.

methodology, the RTI Rating, operated by the Centre for Law and Democracy (CLD),²⁷ The RTI Rating assesses the strength of the legal framework for the right to information based on 61 discrete indicators. The fact that every developed legal framework on the right to information (or RTI law) is assessed in detail using the RTI Rating means that there is high-quality, up-to-date data on the issue.

Zambia was the only country to adopt a new RTI law in 2023. Thus far, none have been adopted in 2024. An average of three laws were adopted annually in the five-year period 2018–2022.²⁸ In all, 56 UN member states still lack RTI laws and, with only six years to go until 2030, it seems likely that even the fairly modest goal of cutting by half the 86 countries that did not have such a law when the SDGs were adopted in September 2015 will not be achieved. Table 5.1 shows the number of countries that have adopted an RTI law each year since 1960 and the total number of countries with such a law.

The CLD recently analysed the key characteristics of the 56 UN member states that have still not adopted an RTI law.²⁹ Interestingly, 30 of the 56 earned a very low score of .20 or lower on the V-Dem Liberal Democracy Index (V-Dem Institute 2023), which is a leading metric for measuring the state of democracy in a country. It is not surprising that these countries would be less motivated to adopt RTI laws than higher-scoring countries. Another 17 were countries with a population of less than 1 million, for which adopting such a law might present more of a challenge. The remaining nine countries, or 16 per cent of the 56, have larger populations and face fewer challenges in terms of democracy.

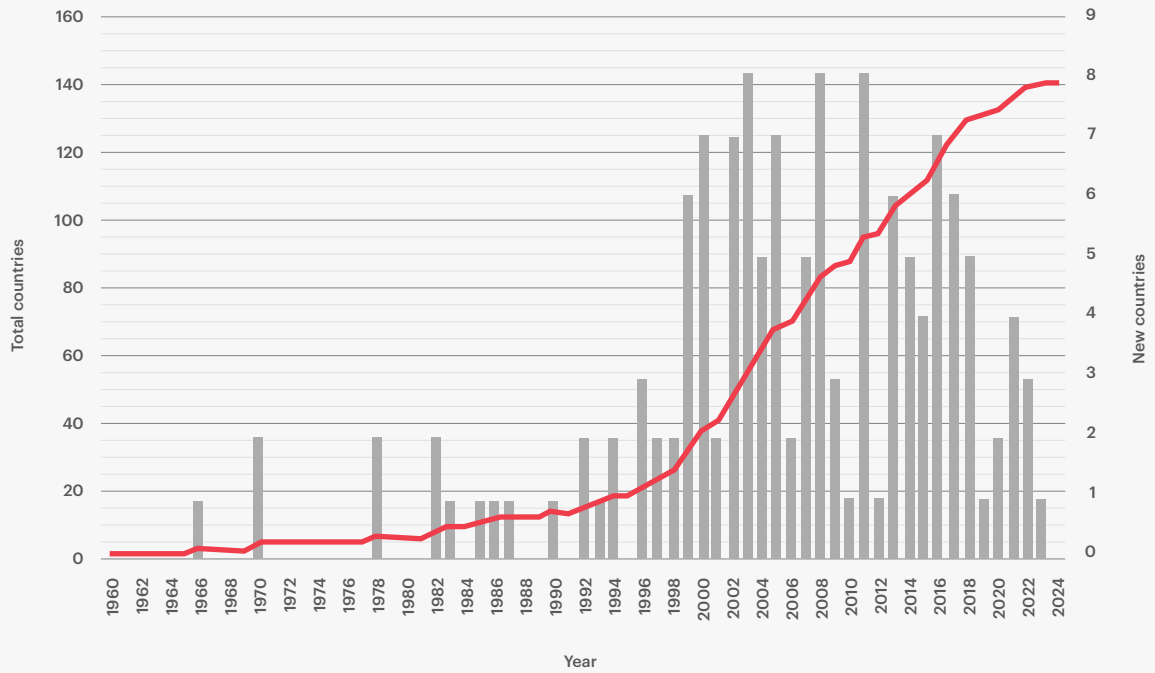
In terms of strength, 16 of the 30 RTI laws adopted since the SDGs were approved score less than 50 per cent of the total points available from the RTI Rating.³⁰ As such, they are weaker, on average, than the RTI laws that had been adopted previously. This is unfortunate, given that it might be hoped that laws would generally be getting stronger as international standards in this area develop and experience demonstrates

how to craft a strong law or what is needed to make such laws strong. More generally, 88 of the 140 countries with RTI laws, or 63 per cent, score 50 per cent or more on the RTI Rating. However, only 41, or 29 per cent, score 67 per cent or more, which could be posited as a rough rule-of-thumb standard for a fairly effective law. So far, there has been little official discussion on the issue of how strong the legal framework for RTI needs to be for it to be recognized as a proper legal guarantee of this right. The distribution of RTI laws in 10-point ranges is shown in Table 5.2. Clearly, more work needs to be done to improve the weaker laws.

It is far more difficult to collect reliable data on how well RTI laws are being implemented, in part because this is a complex exercise involving a large number of different actors in each country. Ultimately, implementation depends on how well each individual public authority is performing—that is, how much information they are disclosing proactively and how well they are responding to requests—and there are likely to be hundreds or even thousands of such bodies in each country. Assessing implementation also depends on evaluating systemic measures, such as how well the oversight body or information commission(er) is functioning. The CLD has developed a sophisticated methodology for this in the form of the RTI Evaluation, which is an in-depth assessment tool for assessing a range of implementation metrics.³¹ However, only a small number of these more comprehensive assessments have been completed, although a number of additional assessments are currently under way.³²

As the UN custodian agency for SDG 16.10.2, UNESCO prepared a simple eight-question survey for states to fill out to assess legal guarantees on RTI and how well they are being implemented.³³ However, only three of the eight questions in the survey focus on implementation, which provides only partial insights into this complex issue. At the same time, the RTI Rating already essentially provides answers to the other five questions.

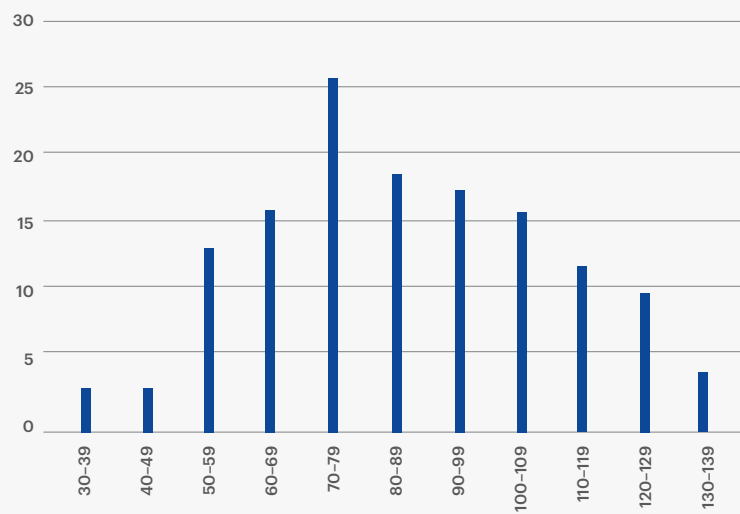
Figure 5.1
Number of countries with RTI legislation



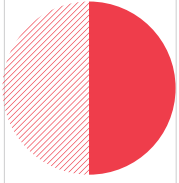
Source: Centre for Law and Democracy, RTI Rating, <www.RTI-Rating.org>. Note: Numbers include three non-UN member states: Cook Islands, Kosovo, and the Republic of China.

— New RTI countries — Total RTI countries

Figure 5.2
Number of RTI laws per 10-point range



Source: Centre for Law and Democracy, RTI Rating, <www.RTI-Rating.org>.



The UNESCO survey simply does not provide sufficiently detailed or reliable information on the implementation of RTI laws, highlighting the need for more comprehensive assessments.

The UNESCO survey collects potentially important information about how well states are doing in terms of adopting and implementing their RTI laws. However, self-assessment by state actors represents a serious limitation in terms of data quality.³⁴ The responses are not independently verified by UNESCO, and the overall results indicate some important biases in the data.³⁵ In all, 102 countries completed the survey in 2021 and 122 countries did so in 2022. In both years, the average score for the top 50 per cent of these countries (51 countries in 2021 and 61 in 2022) was 92 per cent, based on UNESCO's allocation of up to nine points over the eight questions. This is not a credible result and even a quick comparison with the CLD's RTI Rating on the legal part of the survey indicates important discrepancies.³⁶

The comprehensive, detailed and rich non-official data on adoption of RTI laws provided by the RTI Rating provides us with two important conclusions. First, work still needs to be done in terms of the basic first step of countries adopting an RTI law. It makes sense, in this regard, to focus attention on the 17 small states and nine other larger, less undemocratic states that have still not done this. Second, more work needs to be done to improve the quality of those laws which have been adopted. A third important conclusion on implementation of RTI laws is that far more effort needs to be focused on assessing how well countries are doing in this area. Ultimately, the UNESCO survey simply does not provide sufficiently detailed or reliable information on this. The CLD's RTI Evaluation is being rolled out but progress has been slow, in part due to its high cost.

Access to information and poverty alleviation

At the theoretical level, the many ways in which improving public access to official information can support poverty alleviation efforts are fairly clear, and the theory is supported by numerous practical examples. It is also supported by strong statements about the positive link between access to information and development work in general. *The Guardian* newspaper has reported succinctly on the links between transparency and better poverty alleviation outcomes: 'With full access

to information, those in poverty become empowered to exercise their rights and hold governments to account, donors have evidence to make informed decisions about spending priorities to meet needs, and taxpayers in donor countries can hold them to account' (Randel 2013).

The UNDP (2003), which defines its core mandate as reducing poverty, notes that: 'Poor and vulnerable groups often lack information that is vital to their lives—information on basic rights and entitlements, public services, health, education, work opportunities, public expenditure budgets, etc. They also lack visibility and voice to enable them to define and influence policy priorities and access resources'. For its part, the Office of the United Nations High Commissioner for Human Rights notes that a human rights approach to poverty alleviation 'describes how a political voice for all people and access to information are integral to development. Informed and meaningful participation in development is a matter of right rather than privilege' (UNOHCHR 2004). Perhaps the most prominent aspect of this is in tackling corruption. Over a century ago, Louis Brandeis (1913), who would later serve as a judge on the US Supreme Court, wrote that 'Sunlight is said to be the best of disinfectants'. This remains as true today as it was then. Every country with a strong RTI law has good examples of how that law has been used to expose and thereby help to reduce corruption.

However, the relationship is complex and transparency also provides positive support for poverty alleviation efforts. First, again as a corrective, transparency, as supported by RTI laws, is an important tool for holding governments accountable. This has many features but one is to expose ineffective development policies and actions, including in the area of poverty alleviation, so they can be adjusted in either design or rollout.

A good example of this is the use of RTI to obtain tax information in Puerto Rico in the early 2020s, which led to a redesign of the Earned Income Tax Credit, a scheme for providing cash to low- and middle-income working families. Before the redesign, the credit had a very low

take-up rate. The redesign led to a boost in funding from the US federal government, through a three-to-one match for the funding provided by Puerto Rico. Support was enlisted from civil society groups to boost take-up. More than 500,000 families benefited from the plan annually, generating over US\$ 1.2 billion in payments and reducing the poverty rate in the country by over 3 per cent in just two years.³⁷

Another positive relationship is that RTI enhances the ability of individuals and groups to participate effectively in decision making, including decision making on development projects. Even when opportunities for consultation are offered, these are ultimately only superficial if those consulted do not have proper information about the subject matter of the consultation. For example, governments should conduct consultations on plans for development projects with affected communities but if they do so without providing proper background information, community members may attend the consultations and set out their hopes and wishes but not be able to offer concrete feedback. If, on the other hand, the government shares detailed information about its plans, members of the community will be in a position to provide detailed feedback on those plans. This would ensure that planning takes community views and important local knowledge into account in the design phase. Ongoing consultations during rollout will ensure that these inputs are used on a continuing basis to refine and improve implementation. All of this should lead to better development outcomes. This is perhaps particularly true for poverty alleviation projects, where a failure to take account of the needs and particular situation of people living in poverty can seriously undermine outcomes.

The above example from Puerto Rico also illustrates this point, since it seems likely that prior consultation on the Earned Income Tax Credit was weak, including on how to ensure that those targeted would be able to take advantage of the credit. In another example, a survey by Eye on Global Transparency of academic studies on RTI found that strong RTI policies in the international financial institutions improved project outcomes: 'When RTI policies "are accompanied by independent appeals

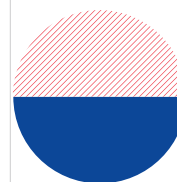
processes, we observe a strong and positive relationship with performance", according to the academic researchers, who evaluated 20,000 aid projects in 183 countries financed by 12 donor agencies, both multilateral and bilateral' (McIntosh 2023).

These brief comments and references clearly demonstrate the close relationship between successful official efforts to reduce poverty and robust respect for the right to information. Where a special effort has been made to ensure that those living in poverty can benefit from the right to information, the impact on poverty can be expected to be even greater.

Recommendations

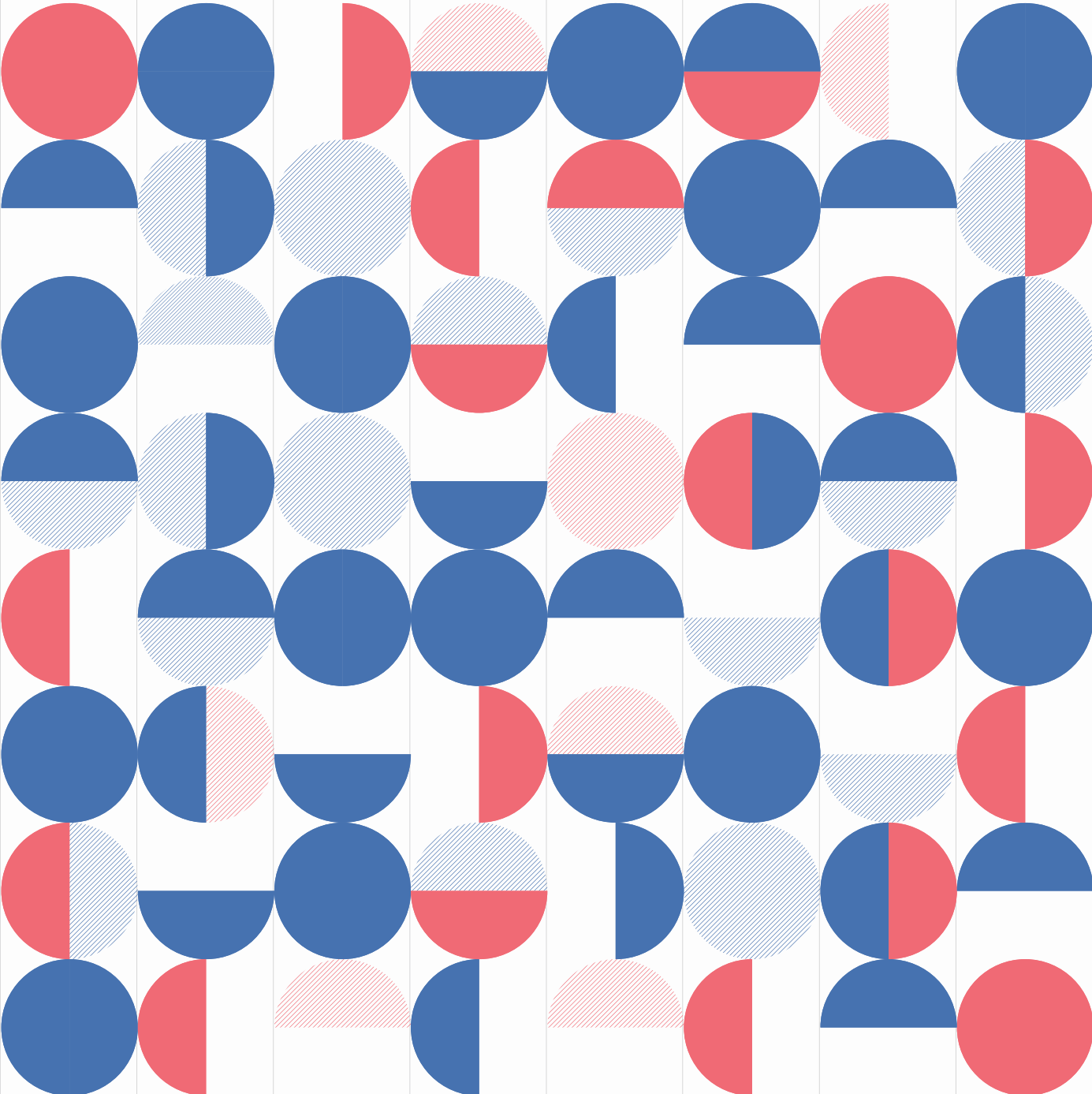
In the light of the challenges presented by determining the specific nature of SDG 16.10.2 or what constitutes progress on the indicator, and then assessing actual progress on this indicator, the CLD makes the following recommendations:

- More attention should be focused on the minimum standards that represent acceptable achievement in terms of the quality of the legal framework on the right to information. As the only detailed and high-quality assessment in this area, the RTI Rating should be used to base this upon.
- More support, both technical and advocacy, should be offered to states to improve their RTI laws where the legal framework fails to meet the minimum standards set out above.
- Such support should include a specific focus on countries which have not yet passed an RTI law, with a particular focus on smaller states and the nine larger and less undemocratic states that still have no such law.
- Far more effort should be put into assessing how well RTI laws are being implemented, using both official and non-official data. UNESCO should consider incorporating more probing and detailed questions on this into its RTI survey and donors should provide more support for civil society work in this area.



The redesign of the Earned Income Tax Credit in Puerto Rico boosted funding, supported by civil society groups, benefiting more than 500,000 families and reducing the poverty rate by over 3 per cent in just two years.

Conclusion



Observations on the importance of peace, justice and inclusive institutions for addressing poverty

Toby Mendel
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It has long been recognized that democracy is a precondition for sustainable, or equitable, development that has as its core goal reducing poverty. This goal is, of course, a central premise of the Sustainable Development Goals (SDGs). SDG 1 seeks to ‘end poverty in all its forms everywhere’ and a core mantra of the SDGs, to ‘leave no one behind’, has been described as ‘the central, transformative promise of the 2030 Agenda for Sustainable Development (UN Sustainable Development Group n.d.)’. Even before the advent of the SDGs, the UNDP included democratic governance among its core goals, and there is no shortage of powerful quotes about the links between democracy and addressing poverty.³⁸ For example, in a speech on the importance of access to clean water in 2002, Nelson Mandela proclaimed: ‘That our government has made significant progress in bringing potable water nearer to so many more people than was previously the case, I rate amongst the most important achievements of democracy in our country’ (Mandela 2002).

The contributions to this report illustrate the various ways in which different targets under SDG 16, ‘to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels’, make a specific contribution to addressing poverty and highlight the different contributions that different elements of SDG 16 make to reducing poverty.

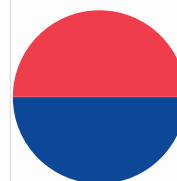
The targets under SDG 16 cover a range of issues, from violence and violence against children to the rule of law and access to

justice, illicit financial and arms flows, corruption, accountable and transparent institutions, participatory decision making, participation by developing countries in global governance, legal identity for all, access to information and respect for fundamental freedoms.

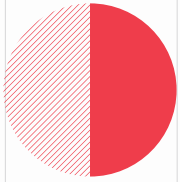
A complex relationship

Several of the contributions highlight the multi-layered relationship between the SDG 16 targets and poverty. An important point is that, for many of the targets, the relationship runs both ways in the sense that a failure to achieve the target undermines efforts to reduce poverty while the presence of poverty makes it harder to achieve the target. For example, violence against children exacerbates the condition of poverty among children, while poverty is positively correlated with violence against children. An inability to access justice can exacerbate or even lead to poverty, while the poor are far more likely to be unable to access justice.

Another aspect of the multi-layered relationship is the presence of these relationships at both the individual and the national levels. For instance, in relation to access to justice, the examples given above operate at the individual level—individuals who are poor face greater challenges in accessing justice and an inability to access justice can leave individuals in poverty. At the national level, high income countries, which generally have much lower levels of poverty, perform much better, in general terms, on the rule of law. On the other hand, 90 per cent of those who lack access to legal identity documents live in low and lower-middle income countries.



An important point is that, for many of the targets, the relationship runs both ways in the sense that a failure to achieve the target undermines efforts to reduce poverty while the presence of poverty makes it harder to achieve the target.



A lack of accountability within government will undermine efforts to reduce poverty in a number of ways.

A number of common themes run through the SDG 16 targets, for which the contribution to reducing poverty is at least intuitively clear and is specifically highlighted in many of the contributions to this report. One overarching theme running through many of the targets is the idea of ensuring that governments are accountable, whether this is supported by transparency, accountable institutions, the rule of law or other ideas captured in the SDG 16 targets. It is fairly obvious that a lack of accountability within government will undermine efforts to reduce poverty in a number of ways. Instead of setting and then working diligently to achieve publicly set goals, which will inevitably include poverty reduction, governments that are not accountable are not required to keep their promises or to focus on their goals. This leads to inefficiency, a diversion of public resources towards personal or idiosyncratic efforts rather than publicly declared objectives, and a failure to learn from mistakes and thereby improve development efforts.

Another overarching theme is the idea of participation in decision making, which is both a direct target under SDG 16 and included in other targets, such as accountable institutions, participation by developing countries in global governance and access to information. The contribution of participation to effective measures to reduce poverty is again fairly obvious. A first point here is that genuine participation must include the poor so they can have a say in how public resources are used to address poverty. This should ensure that these efforts are targeted at the real needs of the poor and take account of their lived reality. More broadly, however, participation also ensures that the setting of public goals takes account of the views and wishes of all citizens, not just a minority of wealthy or powerful voices. This almost inevitably leads to greater priority being given to poverty alleviation, since most citizens in most countries view this as a key government priority. It also improves the quality of decision making, leading to more effective outcomes, including in the area of poverty alleviation, since incorporating a wider range of views and perspectives strengthens decision making.

A third theme is the idea of preventing the diversion of public resources to private aims, either directly by combating illicit financial and arms flows or corruption, or indirectly by addressing failures in the areas of the rule of law, accountable institutions and access to information. It is clear that if public resources are either stolen or otherwise redirected away from public to private goals, they will not support poverty alleviation efforts. The poor are rarely the beneficiaries of these sorts of illegitimate actions and, even if they happen to be, this is not a systematic, structural or efficient way to address poverty.

A fourth, more general, theme is the idea of protecting the vulnerable against what might broadly be called shocks, as reflected in SDG 16 targets focused on violence, a lack of legal identity and a lack of access to justice when people have suffered wrongs. The ideas of accountable institutions, access to information and respect for fundamental freedoms also contribute indirectly to this form of protection. These shocks are not experienced exclusively by the poor, but the poor are far more exposed to such shocks. In addition, when experienced, these shocks impact the poor more seriously, since they do not have the resilience to counter their impact. Thus, these sorts of shocks are likely to exacerbate the conditions of poverty for those who experience them.

The SDG16 Data Initiative focuses on the role of non-official data in the wider SDG process, including as a means to assess progress towards achieving the SDGs. The various contributions to this report highlight a number of ways in which non-official data on SDG 16 targets and indicators helps to promote poverty alleviation. First, at a general level, non-official data plays a key role in assessing progress on the SDGs, thereby helping to support the achievement of SDG 16. Inasmuch as this supports poverty alleviation, as is demonstrated in the various contributions to this report, non-official data also contributes to that goal.

The various contributions to this report, and in particular Chapter 1, Non-official data for SDG monitoring and accountability

, highlights numerous ways in which non-official data helps to support proper assessment of progress on SDG 16 and its targets. For example, in many cases, non-official data has been collected for longer than official data, which provides a more robust longitudinal picture of progress over time. Essentially, by definition, non-official data adds richness and diversity to official data, since it uses different methodologies and therefore helps to triangulate results and create a more pluralistic data ecosystem. As part of this, non-official data often helps to fill gaps in the collection of official data. In some cases, official data either incorporates biases or is perceived to do so, which is a weakness non-official data often avoids. Relatedly, non-official data tends to be more likely to incorporate the perspectives of the vulnerable, thereby ensuring that the voices of the poor, which are of course particularly important for poverty alleviation efforts, are taken more fully into account. Finally, non-official data often assesses progress across a much broader set of factors than just the official indicators that have been approved for the SDGs. Repeated editions of this SDG16 Data Initiative annual report have pointed out that the official indicators for SDG 16 targets are in many cases far too surrogate or remote to accurately capture progress on the target. Expanding the range of data that is captured vis-à-vis a target can help to address this problem.

Another key value of non-official data, which is pointed out in many of the contributions to this report, is that it is far more likely to be disaggregated along various relevant lines, such as gender, poverty, disability and so on. By contrast, in many cases, official data lacks even basic gender disaggregation, which means that it is virtually impossible to use it to target appropriate interventions in order to address gender gaps in progress towards meeting the SDG targets. The same applies to a lack of poverty disaggregation.

Given the important role played by non-official data produced by CSOs, including specifically on ensuring robust poverty alleviation targeting in measures to achieve the SDG 16 targets, some general observations about enhancing the production and use of such data are warranted. First, as a number of the contributions to this report point out, significantly more resources are needed to

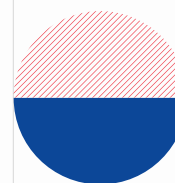
bolster and expand the production of non-official data. While all of the organizations involved in the SDG16 Data Initiative have consistently managed to produce high-quality non-official data, the broader need for additional resources for this overall effort is clear.

Second, the contributions also highlight the fact that insufficient attention or status is given to the non-official data that is being produced, especially given its high quality and potential to contribute to more reliable assessments of progress towards achieving the SDG 16 targets. There is some evidence that greater attention is given to non-official data during Voluntary National Reviews, when states are formally engaging with the annual High-Level Political Forum that reviews progress on the SDGs. But, overall, there has been a significant failure to engage appropriately with non-official data throughout the SDG process.

Third, and more generally, broad attacks are underway in all too many countries on freedom of association and CSOs more specifically. These take various forms, such as the adoption of legislation that unduly restricts this right, the abuse of other legal regimes, such as on taxation or criminal codes, to target legitimate CSO work, and even physical attacks on CSO activists and premises, including by state actors and private actors, where the latter are not adequately investigated and prosecuted by the state. This global rollback of civic space also represents an attack on the ability of CSOs to generate non-official data to support assessment of progress on the SDGs.

A closer look at some of the results

This section looks more closely at the findings of the different contributions to this report. Some of these probe more carefully the relationship between different SDG 16 targets and poverty, while others focus more on general progress on different targets. Two of the contributions look at the relationship between access to justice and poverty, and one of them also at equality, which can be characterized as the distribution of poverty and wealth in society. These contributions highlight a number of fairly profound and statistically evidenced relationships between access to justice and poverty.



Non-official data tends to be more likely to incorporate the perspectives of the vulnerable, thereby ensuring that the voices of the poor, which are of course particularly important for poverty alleviation efforts, are taken more fully into account.

Chapter 2, *Advancing access to justice*, the rule of law and economic prosperity, notes that although the World Bank describes poverty in economic terms, and extreme poverty is described as the condition of living on less than US\$ 2.15 per day, it can also be viewed more holistically as involving lack of access to healthcare or education, and even the inability to participate. Clearly, the scope of the definition will have important implications for the extent to which progress is being made in eliminating poverty. The chapter also elaborates eloquently on some of the points made above about the individual and national dimensions of the relationship between access to justice and poverty, as well as the two-way relationship between these social phenomena.

Both this contribution and Chapter 4, *SDG 16.3, SDG 1 and SDG 10.1: How economic inequality and extreme poverty harm access to justice*, note the correlation between poverty and a lack of access to justice across national and individual dimensions. While the latter focuses more on how poverty contributes to a lack of access to justice, the former looks at this relationship from both directions—how a lack of access to justice exacerbates poverty. Numerous aspects are highlighted in the two chapters, such as:

- The broad correlations between a country’s wealth and the robustness of its justice system.
- Specific data on how the poor are more likely to experience non-trivial legal problems, especially family-related legal problems.
- The general inability of the poor to manage legal problems when they arise, which deepens their poverty.
- The prevalence of lacking basic legal documentation among the poor, such as an official identification, which can prevent them from accessing poverty alleviation schemes, or from proving land or property ownership.

- The presence of justice policies that disproportionately target the poor, such as penalties for infringements of the rules on public transportation or public nuisance offences for those living homeless.
- A lack of institutional justice structures, such as policing, courtrooms and so on, in those areas where the poor live.

Chapter 4 makes interesting observations on inequality and access to justice. Societies that demonstrate greater income inequality and a higher concentration of wealth in a small segment of the population tend to demonstrate a similar type of skewed concentration in relation to political power. This can lead to power being abused to exacerbate rather than resolve access to justice issues. A prime example given is the preference for tax deductions for legal expenses, which disproportionately benefit the wealthy, over increasing the resources allocated to legal aid, which would be to the benefit of the poor. In some cases, this political power can even be used to subvert the independence of the justice system, for example through the intimidation or corruption of judges. The chapter finds evidence of a broadly negative statistical correlation between access to justice and income inequality, albeit with a significant number of outlier countries.

Chapter 4 also includes a case study from Chile, which supports the idea of a broadly negative correlation between poverty and inequality, on the one hand, and access to justice, on the other, while also illustrating the complexity of the relationship and some specific measures that can improve access to justice. Chile experienced dramatic declines in poverty and corresponding increases in access to justice in the early 1990s. However, while poverty has continued to decline since then, advances in access to justice have largely stagnated, while inequality has remained high throughout. Among the specific measures that contributed to improved access to justice were reform of the antiquated inquisitorial criminal justice system and expanded access to legal aid. Nonetheless, trust in the legal system among the poor still lags behind the level of trust among other income groups.

Chapter 2, *Advancing access to justice*, the rule of law and economic Prosperity, highlights dramatic gaps in official data on the three official indicators for SDG Target 16.3 on the rule of law and access to justice, as well as a lack of disaggregated data. Only 54 per cent of countries provide gender-disaggregated data for one indicator and only one provides disability-disaggregated data for another indicator. The official guidance on Target 16.3 data collection does not even reference poverty disaggregation, which is crucial for designing targeted measures to improve access to justice for the poor.

The short case study, *Stopping a land grab in Sierra Leone*, provides an inspiring example of how what can be described as an access to justice issue—in the sense of a community essentially having its land illegally expropriated by a foreign palm oil company—ultimately empowered the community and enabled it to engage in more diverse and environmentally sustainable land use activities.

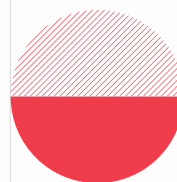
Chapter 3, *Progress on UN Sustainable Development Goal 16.5: A global perspective*, focuses mainly on overall progress on Target 16.5, to substantially reduce corruption and bribery in all their forms, with reference to Transparency International’s Corruption Perceptions Index (CPI). It notes that the CPI records virtually no progress globally in terms of addressing corruption since 2015. The average score for 2023 is almost identical to that of 2015 (only 1 per cent higher), with minor variations both up and down in the years in between. This is a slightly different conclusion from that reached based on the official data on the Target 16.5 indicators, which shows a modest improvement of 7 per cent. This can be explained by the much narrower focus of the official data on bribery as opposed to wider corruption issues covered by the CPI, and the different methodologies used.

The CPI also finds an absence of any trends when the data is disaggregated by region, as more corrupt and less corrupt regions both improved and declined over the period. Similarly, while significant

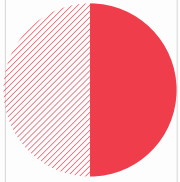
improvements were more concentrated in lower-scoring countries, which is intuitively reasonable since it is easier to improve from a low-scoring position, and significant declines were more concentrated in higher-scoring countries, which is again intuitively reasonable based on the reverse logic, it was not possible to draw any conclusions from the data, as a mix of very low-scoring, medium-scoring and high-scoring countries experienced both significant improvements and declines.

Chapter 5, *States cannot address poverty in secret*, starts out with a powerful quote from Amartya Sen, Nobel Prize laureate in economics, about the importance of openness in avoiding famines. It goes on to highlight the limited progress that has been made since 2015 with countries adopting new access to information laws, as 56 of the 86 countries that lacked laws in 2015 have still not adopted such a law at the time of writing. It also notes that the laws that have been adopted since 2015 are weaker, on average, than the laws adopted previously, while a significant proportion of all access to information laws score poorly on the RTI Rating and thus clearly require improvement.

The chapter highlights a number of positive links between access to information and addressing poverty, backed up by evidence from key development and human rights actors such as the UNDP and the Office of the United Nations High Commissioner for Human Rights. These include the contribution of access to information legislation to addressing corruption, which is well established, and the role of access to information in fostering participation and ensuring accountability, thereby promoting corrective action in relation to development policies and programmes that are either ineffective or not being implemented properly. A dramatic example of the latter is provided from Puerto Rico, where, following exposure of the failure of a poverty alleviation scheme through access to information requests, the programme was redesigned and CSOs were brought in to enhance rollout, leading to significantly better poverty alleviation outcomes.



The official guidance on Target 16.3 data collection does not even reference poverty disaggregation, which is crucial for designing targeted measures to improve access to justice for the poor.



Despite significant progress in terms of reducing poverty, in particular during the period of the Millennium Development Goals from 2000 to 2015, we are now experiencing backsliding in this area, as poverty levels are actually increasing.

Conclusion and recommendations

This report highlights a number of important positive correlations between achieving the various targets under SDG 16 and effective efforts to address poverty. At a broad level, the power of democratic governance, effective institutions and public transparency to make a positive contribution to addressing poverty has long been recognized. The contributions to this report concretize this understanding, and provide specific correlations and connections between various SDG 16 targets and the overriding aim of SDG 1 to 'end poverty in all its forms everywhere'.

Despite significant progress in terms of reducing poverty, in particular during the period of the Millennium Development Goals from 2000 to 2015, we are now experiencing backsliding in this area, as poverty levels are actually increasing. The 2023 SDG16 Data Initiative report, *A 'Bold New Agenda' is Falling Short: The Perils and Promises of SDG 16*, clearly demonstrated that there has been very limited progress, and in some cases even backsliding, on the various targets under SDG 16. While no general correlation between these two trends is suggested in this report, both a correlation between strong performance on SDG 16 targets and success in addressing poverty, and specific positive causal links between them are clearly described. More specifically, as is set out in this report, poor performance in terms of SDG 16 targets is correlated with higher rates of poverty.

The SDGs were always understood as a package, and it was always recognized that progress was needed on the package as a whole for a country to move forward in terms of sustainable development. The members of the SDG16 Data Initiative view the SDG 16 targets as both important aspects of sustainable development in their own right and enablers of the achievement of the rest of the SDGs. This is as true of SDG 1 and other goals focused on poverty as it is for all the SDGs. This report highlights this enabling role specifically in relation to addressing poverty.

Many of the various contributions to this report make specific recommendations on improving data collection in relation to the specific issues they address or on better tailoring data collection to support the adoption of measures within the target they focus on to better address poverty. This conclusion is limited to a few general cross-cutting recommendations on improving the assessment of progress on all SDG 16 targets and indicators to support poverty alleviation efforts.

- States should recognize more fully the importance of non-official data on the achievement of SDG 16, and specifically its ability to support tailored SDG 16 measures that address poverty more effectively, and incorporate this data more robustly into their own assessments of progress towards the targets under this goal.
- States should allocate considerably more resources and attention to engaging in fair and objective assessments of their progress on the SDG 16 targets, which should include allocations to support the collection of non-official data.
- Both official and non-official data should ensure the collection of data that is disaggregated by gender, poverty and other relevant metrics of vulnerability.
- The international community should provide significantly more support to civil society organizations that engage in the collection of non-official data on SDG 16, including where appropriate by working in collaboration with them to improve overall data collection.



Endnotes

1. The author thanks Daniela Barba for her substantive feedback and guidance on this chapter, and recognizes the contributions of Gustavo Adolfo Núñez Peralta and Hannah Rigazzi.
2. Julio Boltvinik (2007: 56, 57) describes the concept of human flourishing as a person's ability to fully realize their human essence, to freely pursue their own development and to fully meet their needs and leverage their capabilities.
3. The poverty line is measured in US dollars, 2017 purchasing power parity (PPP). For more information see World Bank (2022: 3).
4. The WJP Global Legal Needs Survey collects data on 12 categories of legal problems related to: accidental illness and injury, citizenship and identity, community, consumer law, education, employment, family-related problems, housing, land and property, law enforcement, money and debt, and public services.
5. The WJP Global Legal Needs Survey asks respondents to assess the severity of their legal problems on a scale from zero (not serious) to 10 (very serious). This research considers the experience of non-trivial problems, which are those that have an assessed severity greater than or equal to four on the scale. The WJP takes a conservative approach to categorizing people as 'living in poverty'. Respondents are considered to be living in poverty if their household financial situation is such that money is not enough even for basic necessities or if they can afford basic products but for whom buying clothes is difficult. In turn, respondents are considered to be 'not living in poverty' if they can afford essential products and clothes but not long-term goods, can buy long-term goods but not expensive goods or can afford expensive goods. These findings are consistent when excluding the countries where there is only a +/-0.05 per cent difference in the degree to which the two different socio-economic groups analysed experience legal problems.
6. These findings are consistent when: (a) excluding the countries where there is only a +/-0.01 per cent difference in the degree to which the two different socio-economic groups analysed experience barriers to justice/hardship; and (b) looking only at the countries where the wealth-based differences in the experience of barriers to justice/hardship are statistically significant. For a country level, aggregated analysis of the justice gap and the hardships caused by legal problems, see Sections IV and V of *Dissecting the Justice Gap in 104 Countries: WJP Justice Data Graphical Report I* (World Justice Project 2023a).
7. The eight factors in the WJP Rule of Law Index are: constraints on government powers, absence of corruption, open government, fundamental rights, order and security, regulatory enforcement, civil justice and criminal justice.
8. The income group categorizations used here were developed by the World Bank.
9. WJP Rule of Law Index 2023.
10. The effect of country income and performance on the subfactors of the WJP Rule of Law Index is not always linear, indicating the need for further investigation.
11. This chapter is based on data reported to the SDG Global Database, which is developed and maintained by the UN Department of Economic and Social Affairs, see <<https://unstats.un.org/sdgs/dataportal>>. Data downloaded from the SDG Global Database on 3 July 2024.
12. Available at <<https://www.transparency.org/en/cpi/2023>>.
13. Scoring is on a scale of 0 to 100, where 100 is completely free of corruption and 0 is rife with corruption.
14. The number of countries assessed on the CPI remained consistent at 180 between 2017 and 2023 but was only 176 in 2016 and 168 in 2015. It should be noted that the averages are not population weighted so that population giants such as India and China are weighted equally with states with tiny populations such as Vanuatu. It is not clear what impact this has on the averages.
15. Examples include the African Development Bank, the Economist Intelligence Unit, Freedom House and the World Bank.
16. Detailed information on the 2023 CPI methodology is available at <<https://www.transparency.org/en/cpi/2023>>
17. It is not clear from the report how many countries are captured in both data periods for the results on individual bribery.

18. The Global State of Democracy (GSoD) Indices measure democratic trends at the country, regional and global levels across a broad range of categories of democracy in the period 1975–2023. They do not provide a single index of democracy. They include data for 174 countries and are based on 165 individual indicators devised by various scholars and organizations. These use various sources, such as expert surveys, standards-based coding by research groups and analysts, observational data and composite measures. The measure on Access to Justice uses indicators on judicial corruption, the right to a fair trial, due process, judicial accountability and respect for civil rights, see <www.idea.int/democracytracker/gso-d-indices>.
19. The GINI disposable income inequality index measures inequality in disposable income, which is defined by the Organisation for Economic Co-operation and Development as income from work and capital (market income) after deduction of direct taxes and payment of social security contributions (OECD 2014). Missing values are imputed with the most recent year available for each country between 2021 and 2023.
20. R-value: -0.3788478, p-value: 0.00005276.
21. R-value: -0.4399287, p-value: 0.00001797.
22. Based on responses to the question: ‘In your experience, does the court system provide equal and fair access to justice?’ The Perceptions of Democracy Survey is a poll of people’s attitudes to democracy and access to democratic institutions, which has been piloted in 19 countries (International IDEA 2024b). The survey is designed to identify important but often neglected differences between various groups’ perceptions of and attitudes to democracy, such as between experts and the public, and representative groups and marginalized communities. (The latter are made up of self-identified minorities and low-income groups.)
23. See RTI Rating, <<https://www.rti-rating.org/country-data/>>.
24. The home page for the RTI Rating is at <<https://www.rti-rating.org>>, while the Country Data page, showing the results of the assessment of laws, is at <<https://www.rti-rating.org/country-data/>>.
25. In 2022, for example, Namibia, Cabo Verde and Qatar adopted laws. All of the countries which have adopted laws can be found on the RTI Rating at <<https://www.rti-rating.org/country-data/>>, and the data can be arranged by date of adoption.
26. Available at <https://www.rti-rating.org/wp-content/uploads/2024/08/Countries.Deficit.Jul24.CLD_rev2_.xlsx>.
27. Among the key issues assessed in the RTI Rating are the scope of coverage of the law (in terms of information and public authorities), the extent to which the rules on making and processing requests are user-friendly, the regime of exceptions (what information may be kept secret) and the system for appealing against refusals to provide access.
28. The home page for the RTI Evaluation is <<http://www.rti-evaluation.org>>, while the Methodology page, which shows how the assessment works, is at <<https://www.rti-evaluation.org/methodology/>>.
29. These are available at <<https://www.rti-evaluation.org/evaluations/>>.
30. The questionnaire is available at <<https://eyeonglobaltransparency.net/wp-content/uploads/2021/04/Instruction-Manual-UNESCO-Survey-on-Public-Access-to-Information-English-1.pdf>>.
31. UNESCO tries to get the oversight body, which should be independent, to fill in the survey. It is not clear to us how often that is the case. In addition, in many countries oversight bodies are not as robustly independent as they should be. The RTI Rating shows that only 75 of the 140 countries with RTI laws, or just over one-half, score 15 points or more (i.e. 50 per cent) on the Appeals category in that rating, demonstrating significant need for improvement there. See <<https://www.rti-rating.org/country-data/by-section/appeals/>>.
32. The author is in possession of these data.
33. The RTI Rating provides the exact legal provision corresponding to each of its indicators and is thus highly verifiable.
34. More information is available from Espacious Abiertos in their 2020, 2021, 2022 and 2023 reports.
35. See UNDP: United Nations Development Programme, <<https://www.un.org/youthenvoy/2013/08/undp-united-nations-development-programme>>

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SDG 16 as a Key Vector for Eliminating Poverty

SDG16 Data Initiative 2024 Report