

INCLUSIVE INSTITUTIONS FOR SUSTAINABLE DEVELOPMENT

The new Agenda recognizes the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights (including the right to development), on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions.

A/RES/70/1. Transforming our world: the 2030 Agenda for Sustainable Development. Resolution adopted by the General Assembly on 25 September 2015.

4.1 Introduction

The 2030 Agenda calls for transparent, effective, inclusive and accountable institutions to advance poverty eradication and sustainable development. It aims to ensure responsive, inclusive, participatory and representative decision-making at all levels, emphasizing the importance of public access to information, protection of fundamental freedoms and the promotion of non-discriminatory laws and policies for sustainable development.¹

“Institution” is a broad and multi-faceted term, which encompasses a range of structures, entities, frameworks and norms that organize human life and society. While institutions are certainly not the only means to reduce inequalities, inclusive institutions are critical enablers of equity and are central to achieving the objective of leaving no one behind. The 2030 Agenda does not prescribe institutional models for the national level, but outlines principles that institutions should strive to achieve, such as “effectiveness, inclusiveness, and accountability” (SDG 16), “responsive, inclusive, participatory and representative decision-making at all levels” (target 16.7) and “policy coherence” (target 17.14).

Different scientific disciplines view institutions through various perspectives. From outcomes of cognitive processes in the form of mental representations that are context-dependent (time and space) and domain-specific,² to sets of rules and norms.³ Institutions are supported by beliefs that facilitate their dissemination and their rules are inserted in hierarchical, power relationships between individuals.⁴ Formal institutions include written constitutions, laws, policies, rights and regulations enforced by official authorities.

Achieving any particular target under the SDGs will require a combination of factors, including: legal, regulatory components; multiple institutions intervening at various levels; and potentially broader societal changes, e.g. in social norms, which themselves can be spurred by changes in institutions. For example, the advancement of gender equality requires a range of actions at all these levels, and the intervention of a range of institutions with different mandates and purposes. In other words, no target related to inclusiveness can generally be achieved through a single institution. Conversely, individual institutions, especially those with broad mandates, can contribute to inclusiveness in many different areas as well as society-wide. For such institutions, it is important to assess both how inclusive they are, and how they foster inclusiveness through their actions.

Among the many types of institutions that should be examined due to their importance in fostering inclusiveness, this chapter examines how two specific types of institutions, national councils for sustainable development (NCSDs) and national parliaments, have helped promote inclusiveness in relation to the achievement of sustainable development. While the choice of these two types of institutions, among many others, is illustrative, both NCSDs and parliaments are important institutions for sustainable development. Efforts to promote sustainable development at the national level have attempted to address challenges related to integrated decision-making by encouraging the establishment of multi-stakeholder and cross-sectoral national mechanisms.⁵ These mechanisms are broadly referred to as National Councils for Sustainable Development (NCSDs). In turn, parliaments have played an important role and will be crucial for the 2030 Agenda implementation. The 2030 Agenda acknowledges “the essential role of national parliaments through their enactment of legislation and adoption of budgets and their role in ensuring accountability for the effective implementation of our commitments”, but also in inclusiveness in drawing “on contributions from indigenous peoples, civil society, the private sector and other stakeholders”.⁶ Through law-making and budgets, parliaments can ensure inclusiveness and hold governments accountable for their policies on ensuring to leave no one behind.

The chapter draws on existing studies and reviews across countries and regions, synthesizing lessons that could guide countries' efforts to adapt their institutional frameworks as they embark on the journey to implement the new Agenda.

4.2 Inclusive Institutions for Sustainable Development

Useful lessons for strengthening institutions to advance sustainable development can be learned from the efforts made to implement the outcomes of the first Conference of Environment and Development in Rio de Janeiro, Brazil, in 1992, the World Summit on Sustainable Development in Johannesburg, South Africa, in 2002 and the Conference on Sustainable Development (Rio+20) in Rio de Janeiro, Brazil in 2012.

For example, by definition, sustainable development requires an integrated approach to decision-making, incorporating social, environmental and economic dimensions. Since 1992, the integrated nature of sustainable development has posed challenges to institutions that were often not designed to work across boundaries. Scholars have tried to address these challenges with various concepts, such as horizontal integration,^{7,8} boundary-spanning,⁹ strategic public management,¹⁰ and meta-governance.¹¹

Examples of informal institutions are (the usually unwritten) social norms, customs or traditions that shape thought, attitudes and behaviour.^{12,13} Formal and informal institutions structure the distribution of opportunities, assets and resources in society. For example, political settlements establish the formal rules for managing political and economic relations (such as electoral processes, constitutions, and market regulations), as well as the informal division of power and resources.¹⁴

There are different types of institutions, depending on the domains they organise: those governing the reproduction of society – notably individuals' life-cycle, memberships and statuses¹⁵ and those regulating interactions, exchanges (e.g., codes of conduct), in various domains (e.g., political, economic, social). Economic relations, political governance and social norms within families and communities are key institutional domains influencing development outcomes. Together, these institutions determine the degree to which social relations are inclusive.

Each country has a different “starting point” and preference for governance styles, due to constitutional settings, traditions, culture, political practice, geography and resulting environmental, social and economic circumstances.¹⁶ However, the demands of participation in various international regimes makes policy coordination across government a key factor in determining effective

and inclusive governance at the national level.¹⁷

With such sweeping scope and reach, institutions are fundamental to determining whether a person or community is excluded or included from development and progress. Institutions can trigger behaviors and trends that can have positive or negative impacts for developmental outcomes, and in particular for inclusiveness. On the other hand, power holders can shape institutions for the benefit of some rather than all groups of society. Institutions that are not inclusive potentially infringe upon rights and entitlements, can undermine equal opportunities, voice and access to resources and services and perpetuate economic disadvantage. They can also have a negative impact on non-economic dimensions of poverty, including lack of access to services, lack of voice in decision-making, and vulnerability to violence and corruption. Moreover, institutions that are not inclusive in one sphere can multiply disadvantage in others.¹⁸

Inclusive institutions give equal rights and entitlements, and enable equal opportunities, voice and access to all resources and services. They are typically based on principles of universality (e.g. universal access to justice or services; universal age-related state pension), non-discrimination (e.g. meritocratic recruitment in the civil service; inheritance laws that protect widows' land rights), or targeted action, which is needed where some people and groups are particularly disadvantaged, and therefore require differential treatment to achieve the equivalent outcomes (e.g. quotas to increase the proportion of women political representatives; budget rules that prioritise investment in disadvantaged areas).

Economic institutions shape the rights,¹⁹ regulatory framework,²⁰ and degree of rent-seeking and corruption, in land, housing, labour and credit markets.²¹ Examples of formal economic institutions include property rights and labour laws. Many cross-country statistical studies find that more inclusive economic institutions improve economic outcomes.²² The quality of institutions – such as security of property rights and strength of the rule of law – is a strong determinant of income levels.²³ Some cross-country studies suggest the reverse order of causality;²⁴ specifically, that income levels, educational attainment and economic growth all lead to stronger institutions, not the other way around.²⁵

Regarding political institutions, their quality, gender balance and their level of genuine inclusiveness seem to be important determining factors for sustainable development. Some cross-country econometric studies find that better – more inclusive – governance reduces poverty and improves human development outcomes relating to, for example, infant mortality,²⁶ literacy,²⁷ and health.²⁸ While evidence has shown that holding elections alone has no significant

impact on development, deeper measures of political inclusion – including political competition, issues-based political parties, and competitive recruitment to these parties – have significant effects.²⁹

There is less research on the impact of inclusive social norms. One study suggests social trust has a strong positive effect on economic growth.³⁰ Norms of non-discrimination against women, ethnic, religious and caste minorities may be particularly important in this regard.³¹ Discriminatory social norms can trap people in exploitative relationships and push them into chronic poverty. For example, the Chronic Poverty Research Centre, based on longitudinal panel data from multiple countries, identifies five chronic poverty traps: insecurity-reduced capacity of poor households to cope with conflict, shocks and natural hazards; limited citizenship - lack of a meaningful political voice and effective and legitimate political representation and power; spatial disadvantage - remoteness, political disadvantage and weak integration; social discrimination and social relationships – of power, patronage, empowerment, competition, collaboration, support; and poor work opportunities - work opportunities can be limited, inaccessible, or exploitative for poor people, in particular women and girls.³² Given the linkages between poverty, social discrimination, development and human rights, national human rights institutions can play a role in advising State institutions and monitoring progress in the implementation of the Agenda at the local, national, regional and international levels. They can help ensure accountability to the people by disclosing inequality and discrimination, including through innovative and inclusive approaches to data-collection and partnerships with rights-holders, vulnerable and marginalised groups.

Strengthening inclusive institutions involves transforming power relations and incentives,³³ incorporating marginalized people and groups,³⁴ addressing social, political and economic drivers of exclusive institutions,³⁵ decreasing tension between new and existing institutions,³⁶ targeting and unifying intervention and integrationist policies,³⁷ addressing gender inequality, understanding social norms and behavioural changes; and promoting coherence between support to institutions operating in different spheres (economic, political and social).³⁸

Institutions are constituted and perpetuated by people, and changing them is always a complex process. Reforming institutions is not just about passing new regulations or establishing new bodies. The design and implementation of institutions needs to take into account the capacities of people and organisations. Consequently, overly ambitious and technocratic institutional reforms have often resulted in little improvement being made in function, in spite of changes in appearances and structures.³⁹

Institutions mirror the culture and history of the national contexts from which they emerge and in which they are meant to work. This cultural dimension of institutions means that “best practices” are elusive and at best relative. The cultural dimension of institution-building and their underlying values have to be taken into account (e.g. by striving for at least a minimum of cultural compatibility during transformations to new and more inclusive institutions), as they can be very resistant to change and not accounting for them can lead to failure in changing institutions.⁴⁰

It is, therefore, important to support drivers of institutional change. Examples used over the world have included facilitation and strengthening of stakeholder feedback mechanisms, review mechanisms, and support to design and implementation of client voice mechanisms (e.g. citizen report cards), as well as promotion of public information disclosure at national and local levels. Large numbers of better educated, and politically and economically aspirational young men and women, effective organisations to represent them, and the middle classes that support more inclusive institutions are all vital. Growing migration and urbanisation offer possibilities for social mobility and stronger voices for inclusive institutional change, but can also increase marginalisation within cities.⁴¹

It is in this context that the chapter looks at two particular types of institutions, NCSDs and parliaments. Even though they are of different nature and serve different functions, they both strive for representation and inclusion and can be important mechanisms to ensure that no one is left behind in the implementation of the 2030 Agenda.

4.3 National Councils for Sustainable Development

National Councils for Sustainable Development (NCSDs) were once considered critical to achieving integration in decision-making and participation, two dimensions that were at the heart of the concept of sustainable development. NSDCs witnessed rapid development in the first five years after the Earth Summit.⁴² Today, the number of NCSDs and similar bodies has reached over 100 globally, with a wide variety of forms and functions.⁴³ However, they have had mixed levels of success over the past two decades years, with some fading from the policy landscape.⁴⁴ Yet, the challenges that were the rationale for their creation have not disappeared. In particular, NSDCs typically answer the request for “responsive, inclusive, participatory and representative decision-making at all levels” (target 16.7) and “policy coherence” (target 17.14) articulated in the 2030 Agenda. Hence, NCSDs, whether newly created or revived, may have the potential to play an effective role in implementing the 2030 Agenda, helping

countries to “develop ambitious national responses”, building on “existing planning instruments, such as national development and sustainable development strategies, as appropriate”.⁴⁵

This chapter, in line with the theme of this Report, mainly approaches NCSDs from the angle of inclusiveness rather than covering the whole spectrum of NCSDs’ functions.⁴⁶ The review is limited by the limited attention given to NCSDs by academia. But despite the absence of an up-to-date stock-taking of NCSDs on the global scale,⁴⁷ the challenges they face are relevant for all countries today. The Annex to this chapter provides an overview of selected studies that have examined NSDCs since the Earth Summit in 1992.

The composition of NCSDs usually reflects the characteristics of the political system and/or culture in which they exist.⁴⁸ In general, the more the NCSD is dominated by the government, the more it turns out to be a “communication platform”, used to communicate government policy to a range of stakeholders. Conversely, more independent NCSDs often tend to play a more advisory role in the decision-making process.

The extent of stakeholder engagement can vary from: (1) communication and awareness raising; to (2) consultation; to (3) involvement in decision-making; to (4) involvement in various parts of implementation and progress reviews.⁴⁹ The level of stakeholder engagement—and a government’s attitude toward such engagement—has a significant impact on the effectiveness of NCSDs and is often reflected in the resources that are provided to NCSDs.⁵⁰ Table 1 provides a summary overview of potential advantages and drawbacks of specific types of NSDCs, as well as lessons learned to make them more effective.

NCSDs can serve as platforms for dialogue between governments and all relevant stakeholders, in a form that usually encourages open and respectful debate.⁵¹ At the same time, NCSDs and other multi-stakeholder processes can also be dominated by specific interest groups, resulting in lack of accountability and lack of ownership. Potential solutions can include: transparency about roles, rights and responsibilities of participants and managing of expectations of what participation entails (e.g. information, collaboration or co-decision); having procedures in place to balance vocal minorities and silent majorities; setting rules for inclusion and exclusion of actors; as well as organizing how to codify agreement.⁵²

The mix of experts represented in NCSDs is variable. Participation of senior business leaders with sustainability interests and concerns is found to have worked well in a number of cases. Senior scientists, economists or other intellectuals with good practical experience and networks have provided added value in many cases⁵³. Adding an expert-type scientific body can potentially provide a more

deliberative setting, rather than the negotiation-style often seen in representative bodies.⁵⁴ For example, the Finnish National Commission for Sustainable Development (FNCSO), the longest-standing sustainable development council of the representative style, has added an independent panel of scientific experts in the early 2014. The expert panel scans the main obstacles and research concerning sustainable development, raises questions that should be taken into discussion and gives input to the work of the FNCSO. It also evaluates the implementation process of society's commitment to sustainable development and gives advice for its development.

Regarding oversight of Councils, some researchers see having leadership for sustainable development at the highest level (e.g. reporting directly to the Head of Government) as the most desirable arrangement,⁵⁵ as high-level leadership can foster horizontal coordination within the government, including for budgetary processes. High level representation can help integrate goals and objectives throughout the policy management cycle and among different sectors, as ministries tend to comply with executive orders from the highest national offices.⁵⁶ In addition, direct linkages between NCSDs and key decision makers increase the effectiveness of NCSDs.

Table 4-1: Overview of strengths and challenges of NCSDs

Composition	Strengths	Challenges	Lessons learned
Government representatives	<ul style="list-style-type: none"> • Greater influence over policy, even potentially having legislative powers • Strong leadership • Greater resources to implement strategies • Higher public profile 	<ul style="list-style-type: none"> • Potentially less independent and objective • Higher risk of being influenced by political interests • Not necessarily conducive to long-term thinking • Can result in lower levels of ambition 	It is important for such ministerial NCSDs to ensure that they have access to objective, evidence-based information and analysis about current sustainable development issues and trends, along with the impacts of continuing or altering current policies
Mixed membership	<ul style="list-style-type: none"> • Likely to be more representative • Can facilitate greater participation • Greater ability to draw on a wide range of opinions and expertise • Likely to lead in more progressive recommendations 	<ul style="list-style-type: none"> • Dominance of government voices over those of stakeholders • Difficulty to avoid deadlock and producing coherent messages in a timely manner • Difficulty avoiding silo thinking and keeping track of the broader picture 	It is important to ensure: <ol style="list-style-type: none"> 1) adequate representation of key sectors; good representatives of business interests on NCSDs appear to be particularly important 2) that non-governmental representatives do not feel inhibited by the diversity and are able to speak up and participate freely 3) all need to be given access to information in order to make informed and significant contribution
Non-governmental and stakeholder representative memberships	<ul style="list-style-type: none"> • Independence enables thorough scrutiny of government policy and speaking out about perceived unsustainable policies and practices • Likely to be very representative and have strong connections to stakeholder networks at the subnational level • Can potentially call upon large public support base to provide legitimacy and help advocate for recommendations 	<ul style="list-style-type: none"> • Influence over decision-makers and policy • Having representatives of a high enough status and standing • Ensuring interests and expertise that go beyond environmental issues • Securing long-term funding 	It is important to ensure that <ol style="list-style-type: none"> 1) members' interests, experience and expertise cut across all dimensions of sustainable development; strong capabilities in the fields of science, environment and economic would help 2) they have a status and standing to be able to engage effectively with ministers and senior officials in a range of departments, such as economic, finance, industry, social affairs, planning, environment

Source: Authors' elaboration, based on Osborn et. al., 2014.

4.4 Parliaments

As legislative bodies, parliaments are very important for the implementation of the 2030 Agenda and SDGs. Whichever form they take, parliaments execute three basic functions: representation, legislation, and oversight. Parliaments represent their respective constituencies; as part of their legislative duties they debate and approve legislation and in their oversight capacity they oversee the execution of these laws, national policies, and strategic plans. In turn, governments are expected to report back to parliaments, which have at their disposal evaluations and assessments from bodies such as audit institutions. While countries differ in their parliamentary systems,⁵⁷ all of them require parliamentary approval for legislation pertaining to the SDGs.

In looking at the contribution of institutions in leaving no one behind, it is relevant to make the distinction between inclusiveness *of* institutions, and inclusiveness *through* institutions. The former refers to whether institutions themselves are designed in a way that is conducive to inclusive representation and voice of all sections of society (or all countries). Representation is most inclusive when it encourages marginalized groups to express their perspectives.⁵⁸ Parliaments constitute an arena in which people's representatives can use language both to comment on the nation and try to shape it. When attempting to address a social inequity, for instance, a parliament can enlist culture, race, ethnicity, and similar identity categories.⁵⁹ Insofar as any group's distinctive concerns are not included, the parliamentary process itself may fail in its representative function.⁶⁰ Parliaments, as the most representative decision-making bodies, should normally aim to mirror the diversity of the society outside. This involves trying to ensure that all groups are represented, and that each group is represented more or less proportionally to its share of the general population.

In turn, inclusiveness through institutions refers to whether institutions through their actions directly support or enable inclusive outcomes that advance the common good as opposed to particular interests. In the case of parliaments, this means examining both how parliaments themselves are inclusive in their representation of all segments of society, including of marginalized groups, and how, when adopting legislation, they take into account the views, interests and needs of these groups. For example, parliaments are in a unique position to enact legislation to ensure that gender-based discriminatory norms and practices are eliminated, foster women participation in decision-making processes at all levels, and ensure equal access to resources such as health,⁶¹ education,⁶² economic resources,⁶³ private property,⁶⁴ and new technology,⁶⁵ all of which are specifically highlighted in the targets of the SDGs.⁶⁶

In order to illustrate how parliaments can foster these two dimensions of inclusiveness, this chapter looks specifically at four categories of persons in vulnerable or marginalized situations: women, indigenous peoples, persons with disabilities, and children and youth. These four groups are chosen as examples because they have received consistent attention from the institutional literature.

4.4.1 Women and girls

Promoting gender equality has been recognized as a priority for development for a long time,⁶⁷ and it is a key prerequisite for the success of the 2030 Agenda.⁶⁸ Parliaments are in the unique position to enact binding legislation within their sovereign limits to ensure that gender-based discriminatory norms and practices are eliminated. When women are denied participation in decision-making processes, it has been observed that they also have reduced equal access to resources such as health,⁶⁹ education,⁷⁰ economic resources,⁷¹ land,⁷² and new technology,⁷³ among others. Women and girls constitute approximately half of a country's population and their participation in parliaments is critical. Legislatures with more female parliamentarians are more likely to have an impact by adopting policies benefiting women and promoting gender equality.⁷⁴

A way to achieve higher women's participation is through gender based quotas in Parliaments, which have gained significant prominence since the adoption of The Beijing Declaration and Platform for Action at the United Nations Fourth World Conference in Beijing in 1995^{75, 76} as well as the Committee on the Elimination of Discrimination against Women's general recommendation No. 25 (2004) on special temporary measures, including quotas. Since the Beijing World Conference, States have increasingly adopted quotas to boost women's participation, counter discrimination and accelerate the slow pace at which the number of women in politics is rising. These measures are meant to correct some of the obstacles, especially institutional and systemic barriers that still prevent women's equal access to politics.⁷⁷

To varying degrees and subject to differing national situations, gender quotas in Parliaments have specified the rules⁷⁸ and procedures for selecting women candidates,⁷⁹ promoted higher similarity and a better sense of connection between voters and their legislators⁸⁰ (age, gender, ethnicity etc.), who act on behalf of women and their concerns.^{81, 82}

In the 1960s, less than 0.6% of legislators globally were women,⁸³ whereas as of 2015 that percentage has risen to 22.1%.⁸⁴ This increase is particularly prevalent throughout the Africa region, where over 25 percent of parliamentarians are women in 17 countries. It is important to note that these gains have generally been more rapid in developing countries than in developed countries.^{85, 86, 87} Recent gains are largely attributed to opportunities created during political transitions, pressures from women's movements

Box 4-1: The Rwandan Parliament

Rwanda has the highest representation of women in parliament of any country in the world, at 63.8%. In 2003 Rwanda constitutionally mandated government-wide gender quotas reaching all branches of government as well as all levels of government administration. The constitution states that a minimum 30% of women are required “in all decision making bodies” in the government.

Rwanda was one of the first countries in the world to craft and pass anti-Gender Based Violence legislation. The GBV bill eventually became law in 2008 and added important protections to women’s, as well as children’s, rights and made domestic violence, including marital rape, illegal under Rwandan law.

This achievement was achieved through constitutional gender quotas, transitional governments and strong institutional support from women’s civil society, which had become reliable pillars of the community in post-genocide Rwanda.

Source: Gretchen Bauer, Jennie E. Burnet 2013.

and civil society, and the evolving norms regarding the incorporation of women into politics.^{88, 89} Also critical is the support of governing parties in enacting gender-related legislation and quotas.⁹⁰ Despite progress made, if adopted in isolation, quotas are usually not enough to ensure equality. Moreover, they require adaptation to the local context.⁹¹ Quotas for women need to be coupled with other measures to create an enabling environment for women to participate. Particularly, the positive impact of increasing women’s representation in public and political life will not be felt if the women who gain access are not also empowered to actively participate in the discussions and exercise influence in decision-making.^{92, 93}

4.4.2 Indigenous Peoples

Indigenous peoples are characterized by their specific relationship to the land or territory they inhabit, and their distinct culture often inclusive of language, practices, and art.⁹⁴ There are more than 370 million self-identified indigenous people in some 70 countries around the world. In Latin America alone there are more than 400 groups, and an estimated 705 groups in Asia and the Pacific. Worldwide, they account for 5% of the population, but represent 15% of those living in poverty.⁹⁵

Since the mid-20th century, indigenous peoples have struggled to obtain recognition of their socio-cultural specificities and consequent rights before States.⁹⁶ As such, the issue of self-determination has been at the forefront of the relationship between the state and their indigenous communities.^{97, 98} Indigenous self-determination mainly refers to political participation and is explicitly limited by the states’ right to territorial integrity,⁹⁹ although some external aspects of self-determination can still be in place, such as international representation and cross-border cooperation.¹⁰⁰ The connection between the right of self-

determination and the right of political participation is indivisible, and has been recorded by the UN Human Rights Committee.¹⁰¹

As such, representation in parliament is a powerful symbol of indigenous self-determination and inclusion.^{102, 103} The first step is to officially recognize the community as indigenous. Affirmative action in terms of preferential policies is a strategy that is commonly used to tackle the structures of inequality.¹⁰⁴ Measures to improve indigenous participation include periodic reviews of the electoral system and the introduction of quotas, promotion of a more active indigenous role in political parties, employment and training opportunities for indigenous peoples in political bodies, veto powers for indigenous communities, indigenous direct input into legislative and policy processes, enhancement of indigenous participation in local government and youth participation in political processes¹⁰⁵ through legislation, capacity building activities and education.

In some cases, indigenous populations have established their own parliaments or councils, which do not exercise political or legislative power, but rather act as a consultative body. A prominent example is the case of the Sami people residing in Norway, Sweden and Finland. Conversely, New Zealand has the longest history – over 140 years – of indigenous self-representation in a national legislature (Box 4.2).¹⁰⁶ Other countries do not recognize the rights of indigenous peoples within their borders, and have therefore no specific provision for their political representation in the national parliament. While countries differ in their approaches towards indigenous peoples, it is important for the academic community as well as civil society experts to continue to assess methods for ensuring long-term engagement of the various indigenous populations and their meaningful contribution to the 2030 Agenda.

Box 4-2: The Maori case

The Maori Representation Act of 1867 introduced a dual constituency system in New Zealand, where representatives to the parliament are elected from two sets of single member electorates, one for persons of Maori descent and the other for those of European descent - nowadays referred to as general electorates. Electoral reform in the 1990s succeeded in furthering Maori representation by allowing the number of Maori electorates, which had remained fixed at four, to vary on the basis of enrolment; and by introducing proportional representation. Since the party list determines the overall allocation of seats in parliament, parties have an incentive to appeal to Maori voters despite the segregation of their constituency votes. Therefore, such a system enables the minority to have a guaranteed level of descriptive representation without risking loss of substantive influence. The adoption of a proportional party list electoral system together with the dual electorates has succeeded in increasing Maori representation dramatically.

Source: Banducci et al., 2004.

4.4.3 Persons with Disabilities

Over a billion people are estimated to live with some form of impairment.^{107, 108} They remain among the most marginalized in most societies due to a lack of disability sensitive and responsive policy interventions, barriers like stigma and discrimination as well as inaccessible physical and virtual environments, such as communication devices and transportation methods, and segregated educational institutions.¹⁰⁹ Accessibility and inclusion are fundamental human rights for persons with disabilities, and are critical to empowering persons with disabilities to live independently, be included in their communities, and to participate in and make contributions to society and development on an equal basis with others. In essence, the issue of accessibility and inclusion is a critical starting point that Parliaments and the global community have to take up by in order to incorporate persons with disabilities and their needs.

Parliaments have been critical channels for promoting the rights for persons with disabilities through implementing frameworks such as the Americans with Disabilities Act of 1990 in the United States of America and the Disability Discrimination Act of 1995 in the United Kingdom. One important achievement at the global level was the adoption of the United Nations Convention on the Rights of Persons with Disabilities,¹¹⁰ which was ratified by 164 countries and one regional group, the European Union, as of June 2016.¹¹¹ Persons with disabilities have also benefited from the changing policy trend towards the removal of legal, institutional and physical environment barriers, expansion of access to opportunities for participation, including in public services, increased social protections, and improved recognition of people with disabilities in social programmes.¹¹² For example, 155 countries mandate cash benefits to persons with disabilities that serve as income replacement or supplement.¹¹³ However, narrowly focusing on the 'letter of the law' may create a basic level of rights; but more must be done to instil a culture of fair and equitable treatment of persons with disabilities and facilitate full and

active participation by persons with disabilities in society in a meaningful manner.^{114, 115, 116, 117}

4.4.4 Children and Youth

The term "youth" usually refers to people from 15 to 24 years of age. Children (defined as all under the age of 18)¹¹⁸ have the right to express their views freely on matters affecting them.^{119, 120} However, voting, which is often the main venue to exert influence on a political process, is not an option normally open to children¹²¹ given that the vast majority of countries have legislation in place setting the age of 18 as threshold for voting.^{122, 123, 124} Therefore, despite advances in their rights to political participation, citizenship, and voice, it remains the case that a third of humanity around the world who are under 18, exercise relatively little political power, whether in electing representatives, influencing laws, or shaping policies. In addition, not all young people, even though they are old enough to vote, choose to engage with formal political processes.^{125, 126} The general downward trend in voter registration among younger age cohorts points to the fact that young people are increasingly looking to social movements and community organisations as platforms for their political interests and action. Whether this is a symptom of exclusion, or just a different form of participation, is debated.¹²⁷

In terms of participation in formal political processes, young women appear to be even more disadvantaged in terms of opportunities to be elected. Some of these variations can be explained in relation to electoral systems, youth quotas, eligibility ages and levels of women's representation (as a measure of the broader inclusiveness of a parliament).¹²⁸ Alternative measures for increasing youth political participation include, for instance, participation in government sponsored advisory roles, in youth parliaments¹²⁹ and in roundtable discussions, as well as less formal activities such as political fundraising, volunteer work, protest movements and youth groups.¹³⁰ At least thirty countries have some kind of non-adult parliament structure, whether nationally or in cities,

villages, or schools. These include India, Sri Lanka, Norway, Finland, Germany, Slovenia, Bolivia, Ecuador, Brazil, Nigeria, Zimbabwe, Congo, Burkina Faso, Liberia, New Zealand, the UK, Scotland, and a Children's United Parliament of the World (See box 4-3 for examples).¹³¹

Municipal plans of action for children, designed to translate commitment into specific activities, are often adaptations of national plans of action—as in the ones in Honduras undertaken by 293 municipalities.¹³² Children's participatory budget councils, such as the one in Barra Mansa, Brazil, can also foster citizenship and be real fora for public participation in defining and implementing public policies.¹³³ Youth and children development agendas developed by governments, such as the ones developed by New Zealand, can also be potentially effective tools for promoting youth participation, among others, through advocacy, services, and governance.

4.5 Conclusion – Considerations for Policy Makers

Institutions are established by people to guide the pursuit of equitable and equal fulfilment of their human rights and needs. In turn, institutions shape all human interaction, including in the family, community, and political and economic spheres, influencing how societies develop. The patterns of behaviour generated by institutions can be either positive or negative for development outcomes and for inclusiveness. The 2030 Agenda and the SDGs call for inclusion and participation in the social, political and economic spheres of all societal groups. This chapter looked at how two types of institutions - NCSDs and Parliaments – can be active promoters of inclusion.

Research reviewed for the report suggests that, if provided with adequate resources, NCSDs can be effective mechanisms for stakeholder participation and engagement

across the whole policy cycle, to: inform and educate the public at large on sustainable development related topics; stimulate informed public debates; engage key stakeholders in formulating policy recommendations; and involve stakeholders in various parts of implementation and progress reviews. The review in this chapter is limited to a certain extent by the lack of empirical data, even though dispersed data do exist and would merit further study. The limited attention given to NCSDs by academia is an example of an area where research could be encouraged.

With respect to parliaments, the chapter looked specifically at women, indigenous peoples, persons with disabilities, and children and youth. Research reviewed for the report suggests that progress has been made with respect to the representation of these groups in national parliaments. However, gaps still exist. Similarly, while progress has been made in terms of codifying the rights of marginalized groups, there is still a long way to go in this respect, and parliaments will have a key role to play in ensuring that no one is left behind. Other marginalized and vulnerable groups would also deserve attention in the context of a more comprehensive review.

In order to improve the science-policy interface on institutions for sustainable development, it will be important to collect evidence on other types of institutions and how they can foster inclusiveness. Examples include Local Agendas 21 and other participatory processes at the local level; mechanisms for access to information and access to justice; norms and standards in various areas; and mechanisms to represent future generations in policy-making.¹³⁸ Conversely, it will be important to collect evidence on what combination of institutions and institutional features are successfully used to address specific goals and targets, including those related to inclusiveness. This should be a critical component of future Global Sustainable Development Reports.

Box 4-3: Examples of youth participatory mechanisms

An example of effective children's parliament is the Bal Sansad Children's Parliament in Rajasthan, India, which brings together children from different villages to discuss and deal with common concerns such as schooling and all aspects of village life.¹³⁴ Additional examples of children being given some form of representative voice in governance include: the 2003 South African "Children in Action" project to include children's participation in parliamentary hearings and public debates; the 2004 appointment of four Children's Commissioners in the UK to safeguard and promote children's rights in legislation and policy; the Israeli Knesset regular invitation to children to participate in its child-related committees; and the Rwandan annual National Summit for Children and Youth around a particular child-related theme.¹³⁵

The Smithston Student Borough Council and Baston Young People's Town Council in the UK, and the Association Nationale des Conseils d'Enfants et des Jeunes found in French towns are also examples of youth participatory mechanisms.¹³⁶

"Urban consultations" between urban administrations and children and youth, like the ones undertaken in the cities of Cotacachi, Ecuador, Barra Mansa and Icapuí, Brazil, and Ciudad Guyana, Venezuela, have also been successful mainly due to the commitment of the municipal authorities to their success and political, economic and social viability.¹³⁷

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- 119 According to the UN Convention of the Rights of the Child. For more information see General Assembly resolution A/RES/44/25, 1989 http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/44/25.
- 120 In this context, children's interests mainly revolve around four concepts: mobilisation, participation, influence and representation. Wyness, M. (2002), Children, childhood and political participation: Case studies of young people's councils, *The International Journal of Children's Rights*, 9, 193-212.
- 121 Munn, N.J. (2012), Capacity testing the youth: a proposal for broader enfranchisement, *Journal of Youth Studies*, 15, 8, 1048-1062.
- 122 On the one end of the spectrum, countries including Austria, Bosnia-Herzegovina, Brazil, Cuba, and Nicaragua have lowered the voting age to sixteen (as well as Germany and Israel for local elections), and East Timor, Indonesia, Seychelles, and Sudan to seventeen. On the other hand, in countries like Gabon, Malaysia and Samoa youth cannot participate in national elections until their 21st birthday. Hurst, G. (2003), Ministers contemplate lowering the voting age to 16, *The Times*, 14 February 2003. Accessed 10 April 2016.
- 123 Adults' reservations about the participation of children - and youth under the age of 18 - revolve around the perceived a lack of competency, disinterest, the view that children should be sheltered from adult pressures or letting go of the power that places them in positions of advantage. Matthews, H. (2001), Citizenship, Youth Councils and Young People's Participation, *Journal of Youth Studies*, 4, 3, 299-318.
- 124 Rights to self-determination are also considered to take certain responsibilities and powers away from adults and therefore viewed as threatening the protective and established roles of adults. Wyness, M. (2002), Children, childhood and political participation: Case studies of young people's councils, *The International Journal of Children's Rights*, 9, 193-212.
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- 126 Moreover, the general downward trend in voter registration among younger age cohorts points to the fact that young people are increasingly looking instead to social movements and community organisations as platforms for their political interests and subsequent action, while electronic technologies offer young people an alternative political arena for organisation and action. Fyfe, I. (2009), Researching youth political participation in Australia: Arguments for an expanded focus, *Youth Studies Australia*, 28, 1, 37-45.
- 127 The forthcoming World Youth Report 2016 explores young people's participation in economic, political and community life. The report focuses on youth civic engagement. See United Nations, 2016, "Youth Civic Engagement", World Youth Report, Department of Economic and Social Affairs, forthcoming, New York.
- 128 Wall, J. and Anandini Dar. (2011), Children's Political Representation: The Right to Make a Difference. *International Journal of Children's Rights*, 19, 595-612.
- 129 To maximize youth participation, youth councils share the following qualities: venues and times of meetings, where young people feel comfortable; agenda set by the youth; provision of information about available options, procedures and processes that control these options and the implications of their decision-making; genuine communication; and no tokenism. Matthews, H. (2001), Citizenship, Youth Councils and Young People's Participation, *Journal of Youth Studies*, 4, 3, 299-318.
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- 132 Bartlett, S. (2005), Integrating Children's Rights into Municipal Action: A Review of Progress and Lessons Learned, *Children, Youth and Environments*, 15, 2, 19-40.
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