

STATEMENT OF THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

*ECOSOC - HLPF MINISTERIAL DIALOGUE
"CHARTING PATHWAYS TO THE FUTURE WE WANT"*

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Mr. President, Distinguished panelists and discussants, Excellencies, ladies and gentlemen,

As the head of the only inter-governmental organization exclusively devoted to advancing the rule of law I think social science and people's lived experience throw light on the costs of the failure to act and how best to chart a pathway to the future.

Sustainable development is at its core a call to address the imbalances and injustices created by extreme poverty, growing inequalities, over consumption and environmental degradation.

In order to be sustainable, development must be inclusive and not only environmentally sustainable. Inclusive social development means eradicating all forms of discrimination including legal discrimination and ensuring that everyone has access to the opportunities, resources and benefits of development.

The rule of law, properly understood, provides not only certainty and predictability, but also substantive justice, equality, accountability and respect for human rights.

What does social science say about sustainable development and the rule of law?

There is clear evidence linking the rule of law with gains across the spectrum of sustainable development objectives. Social scientists are largely in agreement that strong institutions supported by the rule of law are critical to equitable and sustained economic growth.

Analysis of data sets across countries suggest that access to justice and information and secure property rights are strongly correlated to gains in health, literacy and women's empowerment.

Efforts to reduce the violence through capacity development of justice and security institutions has been a critical factor in economic recovery in post conflict states.

Sharing the benefits of scientific and technological progress is critical to sustainable development. Inadequate levels of benefit sharing may be due to a variety of reasons, but among them, a key factor is the inadequacy of enabling legal frameworks at the national and international levels.

Developing countries often do not possess laws that protect their interests in complex technology-related areas, such as water management, energy generation, production and distribution of seed and plant varieties. Access, collection and utilization of biological resources and indigenous knowledge are not adequately protected. There is also insufficient knowledge on technical topics involved in technology transfers, and insufficient skills to negotiate technology transfer contracts to resolve disputes.

What are the policy choices charting the way forward?

I would make three points:

1. Create a level playing field

- within countries, by abolishing all forms of discrimination, including legal discrimination, to ensure equal and equitable access to resources, services, information and knowledge; and
- internationally, by broadening the participation of developing countries in international decision making processes, especially for trade, investment, intellectual property, technology transfer and measures addressing climate change – where fairer rules would create a more equitable, inclusive and sustainable model of development.

2. Ensure access for all

- to justice, because redress procedures are critical for ensuring equitable access, and
- to information, so that the poor and marginalized people can engage meaningfully in sustainable development initiatives.

3. Invest in capacity development

- of institutions that are effective, transparent and accountable. (Institutions denote rules, regulations, laws, state entities, the administrative machinery). And also invest
- in the capacity of people: poor and marginalized people, women, minorities, so that they can claim their rights. Greater investment in legal empowerment, including access to justice, can ensure public participation and natural resource management and sustainable landscapes.

We need to root sustainable development in a culture of justice. But at the end of the day it is not scientific evidence, but political will that will be key in charting the future underlining the importance of this High Level Political Forum.

Thank you.

The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.