

## **CONSULTANCY and OUTCOME REPORT**

### **Justice and the SDGs: Promoting an Inclusive Approach to Participatory Policy Making**

Organised by CHRI, ADITUS, CIVICUS, Integra Foundation, Jesuit Refugee Service, Malta LGBTIQ Rights Movement, Platform of Human Rights Organisations in Malta

*Supported by the Open Society Justice Initiative*

### **BACKGROUND**

Just prior to the Commonwealth Heads of Government Meeting (CHOGM) 2015, CHRI in collaboration with NGO's from Malta (listed above) and support from the Open Society Justice Initiative, held a side event at CHOGM on Goal 16 and the Commonwealth.

### **AIMS OF THE MEETING**

The aims were threefold:

1. To provide an overview of the Sustainable Development Goals and a deeper understanding of Goal 16, it's relevance and importance to civil society and the Commonwealth.
2. To discuss the opportunities and possibilities presented by Goal 16 and explore the options for collaborative efforts, possibly within the framework of a flexible coalition. Since the goals and especially goal 16 is still very new with indicators yet to be finalized, many of those involved are still working through the details. The purpose of the coalition would be to create a forum for information sharing on activities and practices, to brainstorm ideas and consider accountability mechanisms to ensure the Commonwealth plays a leading role in achieving this goal.
3. To communicate a strong message to the Commonwealth that in order to achieve it's potential it must:
  - a. Engage with civil society in furthering Goal 16,
  - b. Promote and protect civil society particularly in areas where there are severe restrictions being exercised which curb the freedoms and rights of civil society.
  - c. Uphold the Charter values and demonstrate that it is values based association.
  - d. Capitalise on the opportunity provided by the SDG's, for the Commonwealth to be a leading voice for peace, justice and equity in the international community. This can make it relevant to the future even as it goes about its own renewal. .

Justice and the SDG's Event, Valetta, Malta, 22<sup>nd</sup> November 2015

The meeting emphasized the role of the Commonwealth in light of the newly minted Sustainable Development Goals and in light of the renewed mandates of the Commonwealth. For the Civil Society Groups present - rights advocates ranging from those at the grassroots level through to the intergovernmental level and from a number of Commonwealth countries - South Africa, Malawi, Kenya, India and Malta -the issue of closing spaces and the context of global disturbances also set the context for understanding what was possible to achieve.

### **The SDGs.**

The Sustainable Development Goals (SDG's), which followed the MDG's, are **the** biggest plan of action to hit the Global Development Agenda this century. On the 25<sup>th</sup> September 2015, at a UN summit in New York, 193 countries (including all those from the Commonwealth) agreed upon 17 goals. These goals aimed to tackle many of the current problems facing the world and ranged from eradicating poverty to climate change. The SDG' s are a committed and inspiring attempt to actively address these specific issues as well as the sweeping trend across the globe of unsustainable patterns of consumption, production and environmental resources.

Goal 16 (Peace Justice and Strong Institutions) was a unique and much needed addition to the agenda. This goal addresses the issues facing governance, inclusion, participation and rights and for the first time in history the inextricable chain linking development and access to justice has been acknowledged and accepted with a view to strengthening the mechanisms involved and achieving progress.

### **The Commonwealth.**

As an association that has recently (2013) renewed its commitment to human rights and justice via the Commonwealth Charter, the Commonwealth is especially well placed to further the SDG goals in its 53 member states, which are by and large developing nations. 31 of the Commonwealth 54 members are also small states with deep and increasingly urgent concerns about climate change. A common language, and systems of law and government based on common origins provide the association with an ability to backstop countries that would further the goals.

The Commonwealth has long worked on development and justice issues and is in a strong position, with the relevant experience and access at the highest official levels to shape and promote the Goal 16 agenda for greater access to justice in individual countries as well as to take a collective stance at international venues. Emphasis on Goal 16 together with a steady advocacy strategy to promote it provides the Commonwealth with the opportunity to become an influential player on the global stage.

After several years in which the relevance of Commonwealth has been questioned, several circumstances auger well for its future: the Malta CHOGM affirms the directions mandated in the Charter and sees a new Chair at its helm, the women's business and youth forums have been reinvigorated, a new Secretary General, with strong credentials in diplomacy and rights is in place and the professional bodies, accredited organizations and larger civil society too feel encouraged to engage and assist the progression of rights.

### **OPENING SESSION**

#### **Dr Neil Falzon, Director, Aditus, Malta**

Welcoming the gathering Dr. Neil Falzon (Aditus, Malta) pointed out that side events give NGO's and CSO's the opportunity to represent their causes, perspectives and views and those interested in human rights want this to be central to any event. However, he stated, it is important to remember that these events are still *side* events, i.e. they are not part of the main event and this is unfortunate. He expressed his concern at the lack of CSO representation at official events, a point raised in CHRI's 2015 report to the Heads, and suggested that this leaves them feeling dissatisfied, disgruntled and with the additional struggle of making themselves heard. Dr. Falzon offered this event as an opportunity for Malta to consider ways to become less Euro-centric in its approach. Referring to the common ground between Malta and other NGOs working across the Commonwealth, Dr Falzon recognized many similarities in challenges faced by CSO's across the globe. He suggested, 'CSO's must stop focusing exclusively on the EU as the prime policy advocacy forum and consider other global fora.'

#### **Maja Daruwala, Director, Commonwealth Human Rights Initiative (CHRI)**

After reiterating the purpose of the workshop Mrs Daruwala suggested that the present realities of the relationship between regimes in the Commonwealth and civil society required civil society to go beyond the iteration of ideology to being able to present governments and the public with unimpeachable data and statistics to back their arguments and capture the attention of governments: opinions and ideology do not suffice for these purposes.

Questions for the meeting to consider were: is the Commonwealth a good platform through which to achieve the SDS's? Would Goal 16 become a priority with the Commonwealth given that most Commonwealth countries are developing states? Mrs Daruwala postulated that CSO's, especially rights advocates must send a clear and carefully worded message to the Commonwealth regarding their expectations. CHRI has in its most recent report to the CHOGM articulated specific recommendations that need to be realised if there is to be genuine engagement with civil society. Mrs. Daruwala pointed out that the role of the Commonwealth in international affairs has taken a beating in recent years but it has shown sincerity and recommitted to its core values of Democracy, Human Rights, Good Governance and Civil Society through enacting the Commonwealth Charter in 2013. A new Secretary General and Malta, as chair of the Commonwealth offer a positive context from which to build value and relevance. The Commonwealth must leverage the thousands of civil society organizations within it, play the role of an influencer and focus on justice, rights and protection of the people in the international fora. It must take its leadership role seriously and make the Commonwealth relevant to it's people'

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**PANEL DISCUSSION I:**  
**UNDERSTANDING GOAL 16, COMMONWEALTH PRIORITIES IN RELATION TO GOAL 16 AND**  
**THE ROLE OF CIVIL SOCIETY**

**Chair- Maja Daruwala**

**Speakers - Aiden Harris, Myn Garcia, Amitabh Behar and Gaby Calleja**

**Aiden Harris, Programme Officer, Open Society Justice Initiative (OSJI)**

OSJI has been part of the process of developing the SDGs throughout and been advocating for the inclusion of justice and governance into the SDG framework from the beginning. They found that there was resistance to Goal 16. It was considered immeasurable, controversial, a matter of state sovereignty and/or simply a part of the enabling environment for development. OSJI had conceded that justice and governance are enablers, however they argued, both are also outcomes of development and were very much measurable outcomes, if broken down into components. Without development, resources available for development risk being squandered and without justice, the poor are powerless to one, access their rights and two, rest assured that there is redress for grievances. Mr. Harris drove home OSJI's argument that Justice must be a specific outcome to be achieved. People must be able to rely on the law to protect and uphold their rights.

Development of the Goals – The goals were developed through multiple processes in which civil society played a large part- Business and academia came together to articulate their inputs, regional and national consultations were held by the UN and a panel of experts was established to put forth initial recommendations.

Challenges ahead for the SDG's:

1. Firstly, the number of goals is large - 17 goals with 169 indicators. With such a large number the likely result would be countries cherry picking the goals they want to focus on. It is difficult to prioritise with so many targets.
2. Second, and this, he argued, was especially true of Goal 16 - universality- the goals must apply equally to all countries for their credibility and relevance.
3. Third, the indicators- they are vast with wide applicability across countries. The danger is that states are likely to focus on only the things on which they will be judged. If a necessary ingredient of development or justice is not seen as an indicator it is unlikely to gain traction.
4. Fourth, is the issue of data - gathering the amount of data required to adequately measure the progress and success against the indicators will be a big challenge. One study showed that more than 2,000 things could be measured in the SDGs assessment. Often the states that need it most don't have the means and capacity to garner the objective measurements required.
5. Finally, implementation - it is important to remember that the SDGs are voluntary. Countries may choose not to implement these goals or implement only those that are of interest to them. There is no mechanism for ensuring accountability for compliance and performance on SDGs and real success will depend on the implementation on the ground.

**Myn Garcia, Deputy Director, Commonwealth Foundation (CWF)**

The Commonwealth Foundation sits in the interface between governments and civil society. It works to develop the capacity of and for civil society to work together and learn from each other. The Foundation views the 2030 agenda as a social contract that can be unlocked by Goal 16 alone. For this social contract to be fulfilled it requires committed policy engagement from countries. The Foundation focuses on capacitating people and emphasizes the need for participatory governance. Civil society organisations (CSO) and citizens must be equipped and ready to walk and work with governments. There are several challenges. Illustratively, CSOs in West Africa who have said they can mobilize people quickly do not always have the necessary skills to meaningfully engage with governments in the process of negotiation. In response to this, the CWF have developed two particular areas of work - capacity development of regional CS to be able to engage in policy development constructively and strengthening spaces for interaction at the Commonwealth's, regional and global arenas. Ms. Garcia iterated the CWF's systems approach where strengthening regional civil society bodies are a priority.

One of the biggest issues in the 2030 agenda is facilitating government ownership of the agenda, as the implementation of the goals is government responsibility. She stated that despite huge money backing the SDGs, people at the grassroots level have not been made sufficiently aware of the agenda despite seven million dollars being spent on this exercise. The UN is characterizing the 2030 agenda as global goals however, countries are resistant to this idea as they claim to have signed up for only sustainable development goals not global goals.

Even existing opportunities for development, justice and participation are currently not being optimized for increasing engagement between CS and governments. Ms. Garcia pointed out that if spaces are already there at the regional level, then such spaces must be strengthened.

Another challenge is the integration of the national with the regional agenda. In stating that regional agendas must reflect national priorities, she noted that there were several INGOs dedicated to service delivery but in order for governments to implement the SDG agenda, civil society must engage more with governance processes and hold the government to responsible for implementation.

## **QUESTION & ANSWER SESSION**

### **Question 1:**

"Most poor countries including Malawi have issues with lack of resources and also issues with governance within a country. Resource mobilization is a major problem. So such countries remain impoverished. What strategies can countries use to raise resources to implement the 2030 agenda?"

### ***Answer:***

*Aidan Harris:* Discussions on financing the implementation of 2030 agenda is on going. Internal resource mobilization is key to the realization of the SDGs. Resources lost to corruption or stolen assets are a major problem in finding resources for investment in development efforts. Tackling corruption is one of the main ways for unlocking the development areas.

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**Question 2**

Spaces for civil society are shrinking in very palpable ways in our countries. NGOs are being closed down without much explanation or justification. This is a major challenge for civil society in many countries. How far is CHRI's and CWF's jurisdiction on these issues? National/regional collaboration of NGOs is mythical in our countries. How are you able to practically strengthen CS at the national and regional level? In East Africa regional level CS networks do not even exist.

**Answer:**

*Myn Garcia:* CWF is currently supporting the East Africa civil society forum, which is very weak, and there are many challenges in the region. Transformation will take a long time – could be between 5-15 years. Even then sufficient capacity building may not happen adequately. Some of the CSOs are working on the ICC case. Grants of CWF are able to support national led processes of engagement by civil society.

*Maja Daruwala:* As an NGO based in the South CHRI is as vulnerable as any other NGO based in any country of the CW. CHRI has no jurisdiction save the geographic one of the CW and its own agenda. It does not have the mandate that an official body like the government can claim for itself. That does not deligitimise it. We can only work with NGOs to engage with governments. Ideally more NGOs should come together to create new kinds of pressure in-country and on the CW to protect and support them. But looking back 10 years, the councils of the CW were opening to CS. But now there is pushback from governments who do not want NGOs to be at the same discussion table.

**\*\*END OF Q&A – Panel Resumed\*\***

***Amitabh Behar, Executive Director, National Foundation of India***

Mr. Behar started by expressing solidarity with the victims of the bombings in Beirut and the Paris attacks. The discussion, he believes, must begin from the prevailing environment and not merely focus on the SDGs. There is the security conversation and the development conversation. Both are not talking to the other and may go in different directions. There needs to be a bridge between these conversations. Hardly have the SDGs been signed when the honeymoon period is over. Using India as an example, he explained that there is no ownership of SDGS within any part of government.

Internationally, Goal 16 has been watered down in the course of the discussion. 'It is necessary to prevent further watering down in the context of development of Indicators as that process is still open', Mr. Behar articulated the need for CSO's to aggressively press governments and observed that they have not drawn from the experiences of the various popular movements in the Arab World.

CSOs in India have not been conjoined to large grass roots movements on the ground, nor have they been able to provide the backbone to such movements even as SDGs were being discussed. How to make this happen is a major issue related to the implementation of the SDGs.

Justice and the SDG's Event, Valetta, Malta, 22<sup>nd</sup> November 2015

He questioned whether we (civil society) are legitimizing the UN too much when it consists of governments often bent upon watering down the SDGs. Often the same NGOs are working at the UN level without engaging with local NGOs. 'We need to invest in building a ground swell in support of the values and potential of Goal 16 by engaging with NGOs at all levels within every country'. Again the SDGs discussion has not engaged with other discourses – such as privatization, reducing the sphere of influence of the State. Illustrating some of the skewing that is taking place he pointed to the story of India, which is fast becoming a medical tourism destination but local people do not have adequate access to health care. Public health care systems need to be focused on where people don't pay for quality health care through their noses. He questioned the wisdom of CSOs who have concentrated on advocacy without organizing and mobilizing people. Very little change has occurred at the grassroots level due to the obsession with advocacy. Issues relating to Goal 16 will not be resolved only through advocacy. What is required on an urgent basis is the support and ownership of the people to effectively pressure governments. In order to make the SDG's functional, Behar concluded by putting forward a bottom up approach.

**Gabi Calleja, Chair, Malta Gay Rights Movement.**

Looking at the relevance of the SDGs to LGBTIQ rights Ms. Calleja mentioned that Malta is rated first in Europe as far as LGBTIQ legislation and protections for these communities are concerned. The positive referendum in Ireland was a big push for the LGBTIQ movement. Such developments motivate other countries to follow suit.

**QUESTION & ANSWER SESSION**

**Question 1**

What strategies were useful for getting good LGBTIQ legislation in Malta?

**Answer:**

*Gaby Calleja:* The LGBTIQ Movement was very clear in its ask. The change in government was fortuitous as they were willing to take risks making such laws. The Movement was asked to draw up legislative proposals and the Cabinet accepted them without it being watered down. The Movement has used strategic litigation effectively both at the EU and ECHR level.

**Question 2**

Can we drive national processes where better investment will focus on better access to justice for people beyond merely setting up courts and training judges?

**Answer:**

*Amitabh Behar:* Global civil society must acknowledge that efforts must be made to invest in people more directly – build their capacities to demand accountability and asking questions. Civil Society must not only be focusing on smoothening rough edges but also towards mobilizing people to ask fundamental questions.

*Myn Garcia :* There must be a balance between bringing grassroots level organisations to advocate at the regional level without compromising on their local level work.

*Maja Daruwala:* People are questioning even basic universal human rights discourse. Torture is no longer universally abhorred (especially in a world tortured by terror) so it is going to hard to strengthen the delivery of justice while ensuring that it holds to universal standards. There can be no assumption that the idea of 'justice' is the same in every culture.

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**PANEL DISCUSSION II:**  
**ADVANCING NATIONAL LEVEL IMPLEMENTATION**

**Chair- Sumaiya Islam**  
**Speakers- Nomboniso Maqubela and Gertrude Angote**

**Sumaiya Islam, Project Manager, OSJI**

Ms. Islam focused on the question of how CSO's could reevaluate the role they can play in taking the 2030 framework forward.

**Ms. Nombaniso Maqubela, NADCAO, South Africa**

Concurring with other sentiments voiced Ms. Maqubela focused on the South African experience. South Africa is taking a lead in developing the SDG framework- particularly Goal 16. The government appears to be taking this seriously and working on this goal and there is a distinct feeling of excitement amongst civil society. While civil society has got a seat at the table it is necessary always to connect with both government and the grassroots. One cannot keep on naming and shaming the government. It has legitimacy in a democratic set up. The focus of NADCAO is on remobilizing people and assist civil society to carefully consider the changes they want to see and how to achieve it. Social media is a great harness for this purpose.

**Ms. Gertrude Angote, Kituo cha Sheria, Kenya**

Kituo cha Sheria is the only NGO providing Legal Aid in Kenya despite Access to Justice being a constitutional right in Kenya. While nascent, it will hook its work on to Goal 16 combined with the national human rights action plan has already been developed through engagement with members of parliament, she stated. Already there were attempts to incorporate the language of the 2030 agenda into the action plan and civil society had pointed to data that had already been assembled. This would be the baseline against which to develop and monitor SDG indicators. The Kenyan Human Rights Commission (KHRC) was heavily involved in the advocacy to persuade Parliament to adopt the national action plan. Though the steps have been tricky, she said, they continue to persevere.

**QUESTION & ANSWER SESSION**

**Question 1**

Have you looked at budget allocations in Kenya?

**Answer**

*Gertrude Angote:* Yes. We have hired an expert to look at this issue.

*Sumaiya Islam:* Some of the investment has to be allocated to generate demand for better access to justice services.

*Amitabh Behar:* Civil Society generated data is crucial. Governments do not have much data in relation to several issues under the SDGs. Civil society must push not only for outcome indicators, but also process indicators. For example: invest at least 2% of funds in public health. Further, build inclusion indicators to cover the excluded communities.

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**Question2:**

How can you preempt and tackle blowback from governments?

**Answer:**

*Donell Davis, Commonwealth Human Ecology Council. Australia: It's a constant battle to address blowback and respond to evolving challenges. Illustratively, corruption is a real problem that keeps raising its head. One of the Premier's earlier was very corrupt and there was a major scandal about mining the Great Barrier Reef under his rule. CSOs had worked closely with official anti-corruption mechanisms at the time and got good results but over the last 25 years the pace of vigilance had weakened. Now mining which had been closed down in opened up again. India is now mining coal in Australia. This brings new challenges and NGOs must tackle the situation upfront. One needs not only to use litigation but much more attention is required at policy level.*

*Gertrude Angote: In Kenya, CSO's that had been hugely active during the constitution making process had lost steam somewhere down the line. They had joined government committees and councils, she herself was on the committee for the implementation of the Constitution, This was not in itself a bad thing but it meant that the leadership was engaged with government making it less likely to mount opposition on the streets. No one had come out on to the streets in protection of KHRC when they were at risk. This shows there is something wrong and a there is a need to reevaluate strategies.*

**Re: Finance**

*Sumaiya Islam reiterated that government and civil society needed to work together for building access to robust justice systems. She also pointed out the paramount importance of following the money. One civil society demand must be for increased fund allocations in budgets and investments towards developing paralegal systems that provide assistance to marginalized and disadvantaged communities.*

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**PANEL DISCUSSION III:**  
**IMPLEMENTATION AND ACCOUNTABILITY- ROLE OF CIVIL SOCIETY ORGANISATIONS**

**Chair - Maria Pissani, Integra**  
**Speakers- Oli Henman, Lewis Brooks and Venkatesh Nayak**

***Oli Henman, European Representative, Civicus***

Mr. Henman focused on how best CSOs can apply the SDGs at the national level to bring it to fruition. Civicus working at international level had created several national platforms for the exchange of good practice. On Goal 16 Civicus has specifically worked with Tanzania and India's Wada Na Todo. The pace of acceptance of the international agreement differed. In Columbia, they found, the government was attempting to move ahead quickly but in India there seemed to be more resistance to it. Governments will be expected to outline their activities and related progress via an annual review. It is imperative to ensure that messages from national civil society are getting through to the right channels at the UN. Like the Universal Periodic Review it would be good to have a review of one specific Goal every 4 years.

Civicus is aware of 60 active citizen data gatherers and are focusing on building on these learning tools rather than developing new ones. In addition, as an international organization Civicus can ensure its work and that of other actors are well publicized. such that a wide civil society spectrum is aware of it and can either use or contribute to their contexts.

***Venkatesh Nayak, Coordinator, Right to Information Programme, CHRI, India:***

Venkatesh Nayak emphasized the importance of every country having a law that ensured access to information. The indicators on this are unsatisfactory in the SDGs. The need for national laws should be included in the indicators. Process indicators such as what kind of information is being given; what is being resisted; how many requests for information are there and the like would dissect the real effectiveness of the law. People are exposing injustice by asking questions on service delivery. This is unique to South Asia's marginalized people. In Bangladesh folks have asked for how many complaints there are of domestic violence.

Access to information is a right and has a value in itself. But as an administrative mechanism it is a tool for the delivery of justice: both at court and within the administration. Access to information, whether it is information given on request or required by law to be made public as a rule, grounds monitoring. For instance, the police must be made duty bound to reveal how many arrests have been made, the reason for this and if they have been bailed out. This can lead to assessing whether processes have been followed in individual cases and in establishing patterns of malfeasance.

***Lewis Brooks, Public Affairs Officer, Royal Commonwealth Society, UK:***

Mr. Brookes focused on the Commonwealth as an association that can further Goal 16 and the SDGs. He offered a three tier approach to viewing the Commonwealth- 1) 53 governments who bear the

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responsibility to deliver on the SDGs, 2) the Intergovernmental organisations, eg Commonwealth of Learning, the Commonwealth Foundation who works directly with CSO's supporting civil society and the Commonwealth Secretariat (ComSec), the hub implementing the decisions of the members states and 3) the non official Commonwealth - the accredited and associated organisations.

CSOs can act as a conduit between people and grassroots movements, connecting them to governments and the governments back to people. He offered two approaches to engagement. One was a rights based approach, where governments are monitored and held accountable by civil society. The other, he suggested, was the assets based approach, whereby civil society acts as a partner to government. Using the example of the LGBTQ groups in enacting legislation in Malta, Mr. Brookes suggested that civil society should take up issues that the governments find problematic, work off line to solve the problem and then revert back to government with ideas for a solution. This was an effective way of ensuring civil society input, contribution and representation.

70 CSOs currently accredited to the Commonwealth, many of whom are professionals sometimes together and sometimes separately are able to share expertise and knowledge in their thematic areas. They are in a position to garner good practice, bring them to the Secretariat as well as utilize similar legal and administrative systems to hold governments to account.

RCS offers an example - RCS has been working on LGBTQIA issues and rights and admitted that it was controversial. So, rather than use publicity to advocate on these issues, RCS took the issue off line and began work on it behind the scenes, quietly and with the diplomatic community, mapping what works in a specific country and how are they bringing in and /or addressing LGBT issues.

### **AUDIENCE PARTICIPATION SESSION**

#### **Elizabeth Stevens, Canada High Commission:**

Canada would like to see LGBT issues discussed more within the Commonwealth and the RCS being active in this area allows the Canadian government room to further the issue with diplomatic relations. There is a lack of interest at the parliamentary level, i.e. the parliamentarians for the large part have not played their part and it is not being discussed at the parliament at the moment. Goal 16 is likely to face much resistance and for this reason the approach strategy must be different to the other goals. One question that should be considered, were how to use global networks to ensure rule of law.

#### **Maja Daruwala, Director, CHRI:**

Recently there has been too much breastbeating within NGOs who work on furthering the rights agenda. There is also too much responsibility placed on civil society. The prime actor is surely the government. Civil society itself is diverse. But we are a minority. We espouse issues that are often unpopular and fundamentally at odds with the majority. Other civil society groups with powerful

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voices are not progressives and are espousing causes diametrically opposed to our own. Our strategies must factor in contexts like countries and cultures say, where women are considered unequal; or where eating beef is considered sinful and a reason to kill or seriously maim a person; or where the lower caste Dalits are being discriminated against for being of a lower caste.

“In the end it is a question of values and a battle for hearts and minds. If you can provide knowledge of the universally agreed Human Rights values to people who today know nothing of it, it at least allows them to have an alternate view of other realities out side of their own oppressive one. So legal literacy is a very good strategy with which to mobilise people.”

***Mark Robinson, Chair, Commonwealth Consortium for Education:***

How confident are we about the strategy about getting on top of the issues. Civil society may speak but the question is will they be heard are governments and opponents really interested in dialogue. The recurring question is how relevant is the CW in real life; the very fact that we are ‘allowed’ to meet and talk about global issues and learn about various initiatives from across different context points both to our relevance and to our marginalization.

***Stuart Mole, Chair, The Roundtable: The Commonwealth Journal of International Affairs:***

We need better leadership. One thing that divides us is the separation between democracy and development. One issue that the Maltese government can work on is, as Chair of CMAG, utilize the body to bring those in violations under consideration. Today every sinner is redeemable therefore we don't expel but suspend instead. We should be making CMAG much more effective.

***Paikiasothy Saravanamuttu, Executive Director, Center for Policy Alternatives, Sri Lanka:***

The key multilateral organisations in the world pushing for the implementation of SDGs there will be no question of its relevance in the world for the future. It would be able to create a niche for itself. One lesson to learn from the Sri Lanka issue is that things can change even after the most oppressive governance. Sri Lanka was chair of the Commonwealth. It was tragic that Sri Lanka was chair. Our attempts to activate CMAG in face of egregious violations failed miserably. The countries of Commonwealth turned a blind eye and the Secretary General fudged the issue. CSO at national and international levels worked on the issue of freedom and won in 15 months. The agenda of the new government is one that was set by CSOs. Now CSOs would like to see Sri Lanka redeem itself.

***Yasmin Batliwala, Chief Executive, A4ID:***

Drawing attention to the need to engage with businesses in backstopping CSO efforts to implement Goal 16 Ms. Batliwala said, “Lawyers forget that law is transformational and can make an impact. There is an issue about business and the business agenda. Some businesses are more powerful than many governments and have the opportunity to dialogue with them on a level which we can only dream of. Big business is now also about responsible business. I think we can embrace that,” she said.

**PANEL IV**

**LESSONS AND RECOMMENDATIONS EMERGING FROM DISCUSSIONS- LOOKING AHEAD**

**Chair: Katrine Camilleri, JRS Malta (Malta)**

**Speakers: Neil Falzon and Maja Daruwala**

**Maja Daruwala, Director, CHRI:**

“As civil society I see myself as joining with others to make lawful interventions which is my right to do by virtue of fundamental rights guaranteed by the Constitution.” But it's important to work collectively as well. With the chairpersonship of the Commonwealth being with Malta, Maltese civil society is in a particularly good place to work with organisations around the Commonwealth, particularly those that are gathered here, to press for realizing SDGs. If Malta will take the lead to press for progressive change as the next Chair it will put the Commonwealth firmly on the radar than let it continue to fly undetected amongst the international community.

**Dr. Neil Falzon, Director Aditus:**

The Right to Information is something Aditus and other Maltese NGOs would like to work on as it serves as an excellent tool to mine information. It is early days but its as well for civil society to think through to ensure that the Maltese government is held accountable regarding the push for Commonwealth to do more about the SDG's.

**Maria Camellieri, Ministry of Foreign Affairs, Malta:**

Ms. Camillieri touched on the historic significance of Malta chairmanship noting that this is the “second time in 10 years that Malta has hosted the CHOGM. This is itself a demonstration of commitment to the Commonwealth, a place where diverse actors come together.” Recognising the potential of this association as immense she stated that it is also a divided world where some countries have peace while others keep falling into conflict. Affirming Malta's commitment to the Commonwealth she said that the SDG are also core to the association which is now faced with ensuring its relevance by standing up for the values it signed and recommitted to in 2013 via the Charter.

The support shown by Malta during the SDGs consultation process signaled Malta's commitment to goal 16. ‘Strong national regional and international action is need to give effect to Goal 16. Long term planning is necessary for a positive outcome and a two-way consultation is key to successfully meeting the targets for this goal. Furthermore, targets should be measurable and ensure performance. The Maltese government's position is that NGO's and private actors have a vital role to play in the 2015 agenda. Small states are vulnerable and require particular attention. (Malta is supporting a center of excellence for small states). Ending hopefully she said, ‘we are behind on a lot of things but if we believe that they cannot change we will stagnate.’

**RECOMMENDATIONS AND LESSONS LEARNT**  
**LOOKING FORWARD**

1. Civil society organization in Malta to work effectively and closely with the Maltese PM and the new Secretary General to make the CMAG a much stronger body.
  2. Civil society across the Commonwealth to build strong relations and collaborate with Maltese NGO's to further Goal 16
  3. CHRI together with colleagues from Malta and those at the consultation to build a strong effective network between civil society organisations across the Commonwealth with Maltese NGO's as a central point in order
    - To maintain accountability of the Chair and the Secretary General.
    - To build a strong mobilized network of organisations focused on Goal 16
  4. Civil Society at all levels (grassroots through to intergovernmental/quazi governmental) to work closely and maintain a consistent dialogue with the Commonwealth in order to heighten the relevance and profile of the Commonwealth; stay abreast of any arising issues and to encourage and support the official Commonwealth in becoming **the** key organization pushing for the implementation of SDGs.
-