CHAPTER 1:
PROGRESS ON INSTITUTIONAL DIMENSIONS OF SDG 16

1.1. Introduction

Institutions are paramount to the achievement of the 2030 Agenda for Sustainable Development and all the Sustainable Development Goals (SDGs). The Agenda and the SDGs prominently feature institutions, both as a cross-cutting issue in many of the goals and as a standalone goal (SDG 16), "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels". The principles that SDG 16 highlights in relation to institutions (effectiveness, transparency, accountability, anti-corruption, inclusiveness of decision-making processes, access to information, non-discrimination) apply to all SDGs.[1]

This chapter provides the background of the report. It presents a preliminary stock-taking of trends in relation to the application of institutional principles highlighted in SDG 16, as well as an initial view of what is known about the effectiveness of initiatives in these areas, in different national contexts. The chapter illustrates the conceptual complexity of the institutional principles put forward by SDG 16; the difficulties associated with defining and measuring progress on institutional dimensions of the SDGs more broadly; and briefly reviews current efforts in this respect. This is followed by short syntheses of global trends and lessons learned from institutional developments under access to information, transparency, accountability, inclusiveness of decision-making processes, and non-discrimination, knowing that anti-corruption is covered in depth in chapter 2. The chapter highlights gaps in our knowledge regarding the effectiveness of various institutional arrangements, and suggests possible areas for consideration in order to better inform future reviews of progress on institutional aspects of SDG 16. More detailed insights on some dimensions explored in this initial chapter are provided in subsequent chapters.

1.2. Defining and measuring progress on institutional dimensions of Goal 16

In theory, the presence of institution-related targets in SDG 16 should provide clear criteria for measuring progress on institutional dimensions of the Agenda and the Goals. Yet, in practice, measuring institutional dimensions of SDG 16 poses challenges of various orders, in turn making it difficult to define "progress" along any of them. This section considers issues linked with concept definition; with the definition of progress; and with measurement. The section then briefly reviews ongoing efforts at the international and national levels in this area.

1.2.1. Difficulties linked with concept definition

As is the case in other SDG areas, work on the themes addressed by SDG 16 has a long history that pre-dates the SDGs themselves. Transparency, accountability, participation, and other institutional principles are broad concepts, and are approached differently by scholars and practitioners from different disciplines. The various expert communities, including international institutions that promote work on governance, all adopt different semantic maps of these concepts.

For example, transparency and accountability are often mentioned in tandem. Some authors subsume transparency into accountability. Others highlight their distinctness and a whole branch of the literature examines the relationships that exist between the two. Access to information, although it emerged earlier than other modern forms of transparency, is now often considered as one of the forms of transparency, but access to information and transparency are addressed in two distinct targets of Goal 16 (16.10 and 16.6 respectively). Other examples of this "conceptual fuzziness" abound in the literature, and are flagged by experts as an impediment to rigorous research on the effectiveness of various institutional approaches.

All the institutional principles examined in this report are considered parts of the broad concept of governance. There is no universally accepted definition of governance, even though it has been the object of decades or more of inquiry from different fields of study. The concept has been described by various authors as "overstretched",[2] not based on solid theoretical ground, and leading to empirical applications that are not always helpful.[3] The term has been politically contested as well. For instance, there have been critiques that the concept of "good governance" and its declinations reflect western values,[4] and has been used to promote specific types of reforms in developing countries without enough attention being paid to the applicability of foreign models in different contexts.[5]

Box 1.1. Fuzziness of concepts in the governance field: the example of social accountability

The concept of social accountability has incorporated ideas from different communities of practices. One was the idea of direct accountability of service providers to citizens as users or consumers. Another was the idea that direct participation of citizens in governance could help enforce basic citizens' rights. This multiple filiation has resulted in different people associating somewhat different meanings to the name "social accountability". In addition, the literature on social accountability is muddy on the issue of whether participation in policy-making is part of social accountability. Some limit the term social accountability to citizen groups monitoring the use of public authority, while others include participation in policy-making, policy advocacy and deliberation as part of the concept.

Source: Joshi, A., 2010[6].

1.2.2. Difficulties linked with defining progress

Generally speaking, defining progress on any of the institutional dimensions of SDG 16 is difficult. A first reason is that on each dimension, the desirability of change in one or the other direction is not a priori straightforward, as tensions may arise with other institutional or human rights principles. For example, defining the "appropriate" degree of transparency in a given environment has to balance considerations of privacy and security, among other factors. Critically, different groups of society may have very different perspectives on where the appropriate balance lies.[7] As the mix of world views differs across societies, so the institutional choices that best reflect societal consensus will also vary. Also, in any country, the preferred balance between principles may change over time, due to social, political or technological developments.

A second reason is the lack of conceptual clarity on causal models linking the development of institutions and processes in a certain area (e.g., access to information) and their impacts on societal outcomes (for example, better access to public services or reductions in corruption).[8] Within each dimension, there remain conceptual debates on what matters for development outcomes. Context is a key variable for understanding what outcomes specific initiatives may produce. For example, an institutional change that results in increased transparency in one context may produce a different effect in another context. A recent systematic review of the literature on transparency illustrates this difficulty (Table 1.1). In addition, multiple and dynamic causal interactions exist among the institutional principles discussed here, and those vary depending on the broader political, institutional and social context. For example, while conventional wisdom holds that transparency and access to information will elicit people's response and engagement,

which in turn will lead to increased accountability of public officials, research has emphasized that this relationship is not straightforward. Other examples are given in this and other chapters of the report.

This translates into difficulty in unambiguously defining "progress" at the level of broad principles such as accountability or transparency, in a way that would be valid in all contexts and at all times. Therefore, progress can only be meaningfully defined in reference to local political and institutional contexts and dynamics. This heterogeneity and dependence on national context are critical issues to consider when looking at national-level monitoring of SDG 16.

1.2.3. Difficulties linked with measuring institutional dimensions

As mentioned above, the fields covered by the institutional principles of SDG 16 are not conceptually unified. Unlike other SDG areas where there has been time to develop a consensus on what key indicators of progress should be, SDG 16 faces a diverse set of fields where measurement work has developed independently from one another, even within sub-fields. Within each field, there are conceptual debates on what should be measured and how it should be measured.

Reflecting this, under each of the institutional principles examined in this report, a great number of indicators and indices have been developed to measure different dimensions and sub-dimensions. Spearheading these initiatives have been heterogeneous collections of actors, including multilateral development banks, international NGOs working on transparency and accountability, thinks tanks, intergovernmental processes, government agencies, and others. The indicators

Table 1.1.

Reported outcomes of transparency initiatives in 77 empirical studies published in peer-reviewed journals

Effects on…	Positive Effect	Negative effect	Mixed effect	No effect
…citizens				
Legitimacy	2	0	2	0
Citizen participation	9	1	2	3
Trust in government	7	3	4	1
Satisfaction	4	0	1	0
…government				
Accountability	6	0	6	4
Less corruption	7	0	0	0
Performance	5	0	3	1
Decision-making process	0	1	1	0
Financial management	4	0	0	0

Source: Cucciniello et al., 2017.[9]

produced by different initiatives have different scope, reflect different underlying theories or assumptions about governance, and support different agendas in terms of "progress". [10] Most indicators are complex, being composites based on underlying indicators as opposed to raw indicators. They can be hard to interpret out of context and not easily comparable across countries. The methodologies of indices tend to change over time, making long time series hard to find. One of the consequences of this multiplicity of approaches is that different surveys on the "same" issue sometimes uncover conflicting trends.

In addition, governance indicators have been criticized as not being based on a firm theory of good governance, for not being internally consistent, and for not matching the reality of governance arrangements in many countries at different levels of development, making them unhelpful in guiding institutional reforms in less advanced countries.[11]

1.2.4. Challenges to measuring effectiveness and impact

A core institutional principle of SDG 16, effectiveness of public institutions denotes the extent to which public institutions are able to deliver the goals for which they were set up. Effectiveness is always defined with respect to an outside objective or goal. In the context of SDG implementation, the SDG and targets thereof provide natural references for assessing effectiveness. Therefore, effectiveness of institutions should be measured in terms of how well they support the realization of specific goals and targets. As pointed out in the literature, one has to distinguish two degrees or types of effectiveness. The first one refers to immediate outcomes: are institutions able to meet their intended purposes? The second one refers to broader impacts: are institutions conducive to enhanced outcomes for citizens, in terms of quality of life, public services, civic engagement, and other dimensions of well-being? [14]

Available scholarly studies and existing indicators in the governance field tend to focus more on inputs and processes, less on outcomes and even less on impacts. Qualitative evaluations exist for a large number of initiatives related to transparency, accountability and participation, but meta-reviews of these are few and far between – those known to the authors are highlighted in later sections of this chapter.

Table 1.2 presents examples of generic questions and dimensions of interest in relation to the measurement of inputs, processes, outcomes and impacts for the six institutional principles covered in this chapter, with the understanding that effectiveness is a cross-cutting principle that applies to all institutional initiatives.

1.2.5. Global efforts to produce indicators for SDG 16

Official global SDG indicators

Efforts to measure progress on the targets of SDG 16 started very early; in fact, during the discussions of the SDGs in the Open Working Group in 2014. They were often associated with the search for possible targets that could figure under goal 16.[15] They aimed to build on the existing ecosystem of governance indicators. When the 2030 Agenda was adopted, it was decided that global indicators for the SDGs would be intergovernmentally agreed. A specific intergovernmental process was set up to devise such indicators. The working level process for this is the Inter-agency and Expert Group on SDG Indicators (IAEG-SDGs). The process has produced a set of 232 global indicators, including 23 for SDG 16.[16] The process of indicator definition is ongoing. Efforts of the international community to produce clear methodologies for the indicators and mobilize the corresponding data have been accompanied by efforts to support enhanced statistical capacity and data collection efforts in developing countries.

Box 1.2. The political sensitivity of governance indicators

The measurement of SDG 16 is highly politically sensitive. The fact that the choice of indicators in any domain has a political dimension is largely accepted. In particular, the choice of indicators reflects explicit or implicit standards, and creates implicit or explicit norms.[12] These considerations are even more sensitive in the case of governance indicators, as any indicators in this area can be used to construct narratives about how "well" individual countries are conducting their internal affairs.

Governance indicators produced by various international institutions (for example, the CPIA index produced by the World Bank) often have material impacts on countries, for example in terms of allocation of aid resources or for treaty accession, and can be perceived as an arm's length "governance technology" allowing international interests to influence sovereign domestic matters. Over past decades, the fact that many of the initiatives working on governance, and many existing governance indicators, are produced by international NGOs and sponsored by donors or developed country governments has often created suspicion as to the motives driving these efforts, and sometimes given rise to accusations of meddling by foreign interests in domestic matters.[13]

Source: see footnotes in this box.

Table 1.2.

Examples of questions associated with different stages of initiatives in relation to institutional principles of SDG 16

Institutional dimension	Inputs and processes	Outputs	Outcomes	Impacts
Access to information	Adoption of access to information laws and creation of related institutions Adaptation of organizations to meet the requirement of access to information laws, including resources and capacity building	Number of requests made to public institutions Outcomes of the requests for information Measures of compliance with the law for different institutions	Volume of information disclosed Use of information made by requesters Changes in public officials' and public agencies' behaviors	Do citizens feel empowered to request information from the government? Has information contributed to improved public debate? Has information contributed to enhanced public sector accountability? Has information contributed to better public services, enhanced the effectiveness of public institutions?
Transparency	National OGD initiatives Adoption of legal framework mandating or encouraging disclosure (targeted or not)	Information produced and published by government agencies Measures of compliance with the law	What type of information is more (less) available than in the past? Changes in perceptions of transparency	Is the information published through OGD initiatives and mandated disclosure relevant and useful to citizens, NGOs and and firms? Has disclosure contributed to improved public services? Has information disclosure contributed to better government accountability?
Inclusive and participatory decision-making	Changes in legal framework w.r.t. participation Creation of participatory channels and mechanisms Organizational change to accommodate and manage participatory mechanisms in public institutions	Number of participatory events and channels created Number of people from different social groups who engage in participatory mechanisms	How has participation impacted decision-making and resource allocation? Has participation contributed to more responsive and higher quality public services? Have public officials' behavior changed in the way they interface with citizens? Changes in citizen's perceptions of participation, empowerment	How significant is the civic space for participatory processes? How are participatory processes changing social dynamics, including civic engagement? How are power relations affected by participatory processes? Have participatory processes contributed to enhance trust in government?
Accountability	Constitutional or legal provisions for government accountability Charters for civil service Organizational processes for accountability (e.g. performance processes)	Compliance with formal processes for government reporting and oversight Implementation of civil service accountability-related measures	Outcomes of formal oversight processes, including possible sanctions Outcomes of internal accountability mechanisms in public agencies	Are institutional checks and balances more robust? How have work ethics and motivation changed in the public service? Are civil servants more responsive to the public?
Anti-corruption	Adoption of anti-corruption laws and creation of related institutions Training and capacity building in public institutions	Number of corruption cases brought to justice, to public knowledge Financial amount exposed or recovered	Sanctions taken against corrupt officials Amounts of public funds recovered Changes in administrative processes Changes in perception of corruption	How have channels and mechanisms of corruption morphed in reaction to legal and institutional changes? Have different actors (public officials, firms, citizens) changed their behaviors?
Non-discrimination	Adoption of anti-discrimination laws and regulations and related institutions Universal civil registration Training and capacity building in public institutions	Number of cases brought to justice or public administration Outcomes of legal cases Measures of compliance with the law	How have outcomes changed for groups that are often discriminated against? How has the jurisprudence evolved overtime?	Are traditionally discriminated groups empowered? How are tolerance and sectional divides changing in society as a whole overtime?

Source: Authors' elaboration.

The process of defining the concepts and methodologies for global indicators for SDG 16 has stimulated vigorous intellectual debates, which mirror underlying conceptual debates in academic and practitioner circles about how institutional dimensions and progress among those can be measured, as documented in the website of the United Nations Statistics Division.[17]

Whereas for most SDGs many global indicators are conceptually clear and the corresponding data are available in the majority of countries, this is not the case for most of the indicators of the SDG 16 targets considered in this report.[18] In fact, apart from indicator 16.6.1, an indicator of "budget credibility", which is available for many countries, all the other indicators that directly relate to the institutional principles examined in this report are classified as tier II or tier III, meaning that no internationally established methodology and standards are yet available for the indicator or that data are not regularly produced by countries (see Table 1.3). In practice, this means that the indicators are currently not available for global analysis.

Global indicators for SDG 16, by design, can only cover a limited number of relevant dimensions. From the examination of the global indicator framework, it is clear that some institutional dimensions such as transparency, accountability, effectiveness, and corruption are covered in a minimal way. For those dimensions, the global indicators, even if the data were fully available, would be insufficient to produce policy-relevant analysis.[19] The situation is somewhat better with respect to non-discrimination, as outcomes in this regard can be at least indirectly inferred by looking at disaggregated indicators that refer to targets in many different goal areas, for example those that refer to universal access to resources, services, education, health and social protection (see section 1.3.5).

Within the set of global SDG indicators, indicators that are relevant to institutions can be found beyond SDG 16. In fact, many of the SDG targets refer to institutions in specific sectors (e.g., social protection systems) or across the board (especially the targets of SDG 17). Work done in the context of the Committee of Experts on Public Administration highlights

Table 1.3.

Global indicators for SDG 16 targets that are relevant to institutional principles discussed in the report

Principles and corresponding SDG 16 targets	SDG 16 Global Indicator	Tier
Corruption (16.5)	16.5.1 Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months	II
	16.5.2 Proportion of businesses that had at least one contact with a public official and that paid a bribe to a public official, or were asked for a bribe by those public officials during the previous 12 months	II
Accountability (16.6)	16.6.2 Proportion of the population satisfied with their last experience of public services	III
Transparency (16.6) and access to information (16.10)	16.10.2 Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information.	II
Effectiveness (16.6)	16.6.1 Primary government expenditures as a proportion of original approved budget, by sector (or by budget codes or similar)	I
Responsive, inclusive, participatory and representative decision-making processes (16.7)	16.7.1 Proportions of positions in national and local public institutions, including (a) the legislatures; (b) the public service; and (c) the judiciary, compared to national distributions, by sex, age, persons with disabilities and population groups	II/III
	16.7.2 Proportion of population who believe decision-making is inclusive and responsive, by sex, age, disability and population group)	III
Non-discrimination (16.b)	16.b.1 Proportion of population reporting having personally felt discriminated against or harassed in the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law	III

Source: United Nations Statistics Division.

that among the 232 indicators on which agreement has been reached, interlinkages with the principles of effective governance for sustainable development, and the institutional aspects of SDG 16 in general, are widespread.[20]

Work of the Praia Group

Within the framework of the United Nations Statistical Commission, the Praia Group on Governance Statistics has been working since 2015 on issues of conceptualization, methodology and instruments in the domain of governance statistics. Among other objectives, the group aims to review, propose and promote the definition and harmonization of governance indicators, through the development of manuals and methodological guidelines.[21] In particular, the Praia Group has been developing a handbook that can serve as a reference framework for the production of governance statistics covering the conceptualization, measurement methodology and dissemination of governance statistics for national statistical offices. The work of the group will be presented at the Statistical Commission in early 2020. As of October 2018, the group has identified nine dimensions of governance, which cover the institutional dimensions of SDG 16.[22]

Work by international organizations

While the development of the set of global indicators for the SDGs continues, international organizations have taken up the issue of measuring performance and progress on SDG 16. The OECD has been active in this area, building on a long tradition of work on governance indicators. Given that few of the global indicators for SDG 16 are available at present, there have been efforts at both the international and national levels to mobilize existing information. The use of proxy indicators has been a frequently taken route to palliate the lack of data for official global SDG indicators. For example, the OECD has explored the connections between indicators it already produces and the measurement of SDG targets, including SDG 16; the result of this exercise is a measure of the distance of individual member countries to the SDG targets, including for eight of the SDG 16 targets.[23] Whereas this measure differs from the official global SDG indicators, it provides valuable insights on progress on SDG 16 for a subset of countries, in a way that allows for country comparisons.

In conclusion, the lack of relevant indicators (itself linked with other conceptual and practical issues) constitutes a serious constraint to getting a global picture of the status of SDG 16 targets related to institutions, and of the related trends. Perhaps more than for other SDGs, this calls for enriching the information that comes from indicators with more qualitative narratives based on other sources of information. Another challenge is to reconcile aggregate views based on global indicators with assessments of progress coming from the country level.

1.2.6. Monitoring of SDG 16 at the national level

In order to monitor SDG 16 at the national level, a rich and nuanced picture has to be provided, which goes beyond global indicators and involves a detailed examination of issues and trends, and matches the state of national society as well as national priorities. As argued in previous sections of this chapter, progress on institutional aspects of SDG 16 can only be defined meaningfully by focusing on the current status and dynamics of institutions. This translates into the need for each country to build their own, tailor-made monitoring systems around SDG 16. As mentioned earlier (see Box 1.2), the measurement of SDG 16 is highly politically sensitive, as related indicators are naturally perceived as reflecting the quality of government or governance in a country. Work done at the country level to develop measurements on various aspects of SDG 16 is critically important and challenging, given the novelty of the goal in this form.

Most countries do not start from scratch, however. In some areas, international and regional law provides a framework for national action and has introduced monitoring frameworks that are closely related to SDG 16 targets. This includes the reporting mechanisms under international treaties. Chapter 2 provides an example of this for the area of anti-corruption. Some countries already measure governance-related issues for other purposes, such as accession to regional groups (e.g. EU accession). [24] Yet other countries have put in place processes for national dialogues on SDG16-related issues, for example, when conducting reforms of their justice system.[25]

In theory, the multiplicity of existing measures, indicators, rankings, surveys, that are produced at the country level could be an opportunity. It could provide a platform for dialogue at the national level, and a basis for building shared and robust assessments of strengths, weaknesses and areas for progress. However, the extent to which this is happening is still unclear. In each country, the different areas within SDG 16 are receiving varying levels of attention in terms of priorities for reform, depending among other things on national political and social circumstances. In the short run, this translates into differences in both the feasibility of and capacity to design and implement improvements in monitoring systems across dimensions of SDG 16. Rapid improvements may be observed in areas where a country uses an ongoing reform process; in other areas that are not immediate priorities, efforts might be more difficult to mobilize.

As part of national efforts to monitor developments in relation to SDG 16, mapping SDG 16 targets with existing strategies, sectoral plans, and ongoing reform processes is one of the first critical steps. Some countries have ranked global indicators in terms of priority depending on whether they directly relate to national strategies and development plans and ongoing

reforms.[26] Conversely, it is also important to reflect SDG 16 in strategic national documents, including national sustainable development strategies and sector plans. National sustainable development strategies may play an important role to align development objectives with the SDGs in post-conflict situations, as illustrated by the World Public Sector Report 2018.[27]

A number of countries have taken such approaches, and have started to develop their own monitoring frameworks, using existing indicators from multiple sources and developing new ones. Data produced under processes pre-existing the SDGs (including reporting mechanisms under international Conventions) can buttress efforts in this direction. Recognizing this is probably a critical aspect for the international community as it tries to support countries to develop monitoring systems for SDG 16. Illustrating this, in its pilot project on monitoring SDG 16 in six countries, UNDP adopted as a basic principle that each country should define their own priority areas and their own indicators, to complement the global indicators. During the course of the project, each of the six countries identified different priority areas within SDG 16, different ways to cluster them, and different indicators. [28]

In this context, SDG 16 provides an opportunity. The existence of SDG 16 and its recognition and inscription in national contexts can provide a unifying framework and a space for aggregating disparate processes, conversations and communities of interest and practice around nationally determined priorities for action and targets for improvement. Allowing for dialogue on progress in areas that have traditionally evolved independently from each other may thus be a benefit from the adoption of the SDGs at the national level, including but not limited to the preparation of

voluntary national reviews (VNRs) presented by governments at the United Nations.

## 1.3. Trends in institutional developments and knowledge about their effectiveness

1.3.1. Access to information

Access to information has strong connections with, and is often considered part of, transparency. However, its origins are linked with human rights. The notion of right to information has been included in international legislation since the Universal Declaration of Human Rights in 1948, through its article 19 which addresses the right to freedom of opinion and expression. Since then, a number of international legal instruments have been developed, including at the regional level (for example, the Aarhus Convention on the right to environmental information was agreed in 1998; the Escazu Convention on access to information, participation and access to justice was agreed in 2018). The development of national access to information regimes started earlier than other modern transparency movements.

At the national level, the exercise of the right to information has been regulated through access to information laws[29]. In addition, sectoral laws (e.g. on environment, consumer protection, anti-corruption or public procurement) often regulate access to specific types of information. In some instances, sectoral laws exist without the country having a general law on access to information.[30] In 2017, 118 countries had adopted a law or

Figure 1.1.
Development of national freedom of information laws or decrees, 1970-2017
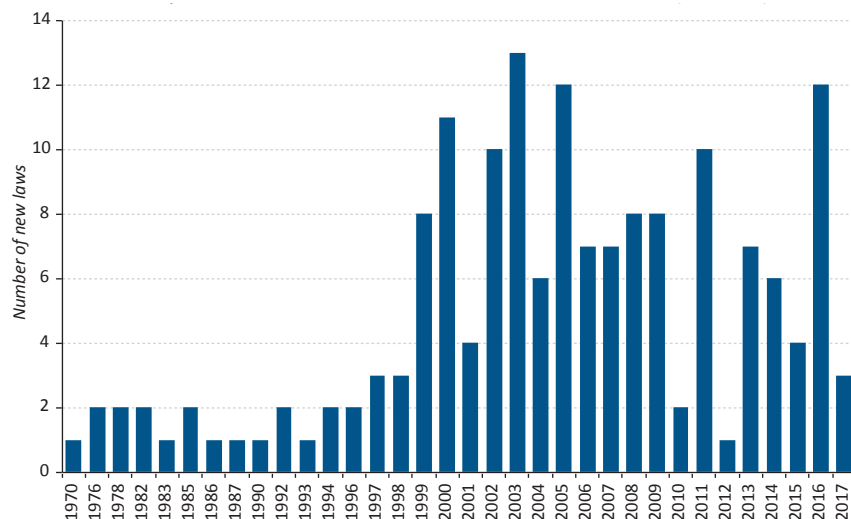
Source: Open Society Justice initiative 2017, list of countries that guarantee a right of access to information in national/federal laws or decrees.

policy on the right to information, with 113 countries adopting right to information laws and 5 countries adopting national decrees or policies. In addition, 90 countries had the right to information explicitly mentioned in their national constitution. Over 40 countries were in the process of adopting a RTI law, either as a project of law or a pending bill.[31]

Several challenges are linked to the implementation of international and national instruments. Provisions for access to information in international instruments are often of a general nature and do not provide practical details on implementation and enforcement at the national level.[32] Many international instruments remain vague or only establish minimum, often mainly procedural, standards regarding access to information, though they do not prevent countries from adopting further-reaching measures.[33] Terms contained in access to information-related international instruments are open to interpretation.[34] Even when provisions are clear in creating certain rights and obligations, they are not always effectively implemented by countries. Conversely, internal deficiencies of national legal systems can undermine the potential impact of international instruments.[35]

International instruments, and the access to information regimes derived from them, in general do not oblige the private sector to disclose information, even when it performs public service missions and delivers public services. Arguments of commercial confidentiality can be used to prevent access to information (e.g. information on pollutants from industrial facilities)[36]. The same often applies to arm's length agencies that are independent from line ministries. Some countries have however extended their access to information laws to include the private sector under specific conditions (e.g. private organizations receiving public funds) and for specific sectors.[37]

While access to information laws exist in many countries, not all laws have been implemented or are being implemented effectively.[38] Major issues include non-compliance, lack of enforcement, and poor monitoring of implementation. In many countries, a large portion of requests for information are denied.[39] Among the main challenges mentioned in the literature to the effective implementation of information regimes are: unclear legal frameworks; lack of independence or lack of resources of oversight bodies; lack of political will to implement the law; lack of human and financial resources; lack of training and capacity building for public officials; ineffective management systems; and low awareness in the population about their rights.

As illustrated by longitudinal studies of national access to information regimes, governments and public institutions have adapted their practices to the advent of information disclosure requirements, in ways that are not always conducive to increased transparency. This can include: challenging the law; providing insufficient resources to public administrations or oversight bodies to respond to freedom of information

requests; introducing fees for processing information requests; changing working and recording practices in public administration; putting in place elaborate procedures for vetting information release; and preemptive "spinning" of information by public agencies.[40] Increases in nominal transparency can be accompanied by restrictions to the type of material that is made public, in multiple ways. In a broader context, advances in government transparency may be concomitant to threats to privacy and increased surveillance.[41]

To date, there is relatively little empirical research and evidence on the effectiveness of access to information instruments. Most of the studies undertaken cover the performance of access to information regimes in terms of process and compliance of public institutions.[42] Several studies have covered the impact of access to information laws on institutional change. For example, a large study conducted by the Open Society Justice Initiative in 2006 found that, overall, the presence of freedom of information laws increased the responsiveness of public officials.[43] There has been no systematic assessment of the impact of access to information laws on social change, although many requests made under freedom of information laws are linked to socio-economic rights (e.g. food, healthcare).[44] Case studies have however shown that access to information laws can entail positive social change, especially when used in conjunction with participation and empowerment, for example in social accountability initiatives.[45]

1.3.2. Transparency

For the purpose of this chapter, transparency can be defined as the principle of enabling the public to gain information about the operations and structures, decision-making processes and outcomes and performance of the public sector.[46] It encompasses multiple sub-dimensions and fields of expertise. Four categories of transparency are addressed here: access to information frameworks (addressed above in section 1.3.1), mandatory disclosure; proactive, voluntary disclosure, including open government data (OGD); and fiscal transparency, which has developed into a field of its own.

Mandatory disclosure

A large portion of the information disclosed by public agencies or private firms providing public services results from compliance with laws or regulations. This is true from accounts published by firms, to school performance data published by education ministries, to water quality indicators published by utilities to food labeling to disclosure of provisions included in financial products (for example, mortgages). In a great variety of sectors, such mandated transparency has increased over the years, often responding to the dual purpose of reducing risks faced by citizens and improving the public services they use. Due to the large range of areas covered by such "targeted transparency", no global or even national maps of such provisions exist.

In terms of effectiveness, a large number of evaluations of strategies for disclosure and of their impacts on citizen awareness, consumer choices, health and education outcomes, quality of public services, and other outcomes have been produced in a piecemeal, often sectoral fashion. These initiatives exhibit a great diversity of outcomes, which are often linked with detailed characteristics of their design and implementation. For example, the choice of the information to disclose and the way in which it is presented often greatly influence impact.[47]

As with other forms of transparency, it has been suggested that targeted transparency tools are appropriate in some cases,

less in others; they should be seen as a complement to other forms of policy intervention, for example standards or market-based instruments. In many cases, their success depends on the concomitant use of other policy instruments.[48]

Proactive disclosure and Open Government Data

Proactive publication of government data on government websites has made massive strides during the past decade. Most governments now offer information and transactional services online.[50] For example, as of 2018 the majority of countries offer e-procurement tools, with a rapid progression in

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Box 1.3. Ten principles for the design of targeted transparency policies

In their seminal contribution to the study of effectiveness of mandatory disclosure policies based on 133 policies adopted in the USA over the years, Fung, Graham and Weil (2007) suggest that the following principles should be considered when designing transparency policies:

- Provide information that is easy for ordinary citizens to use
- Strengthen user groups
- Help disclosers understand users' changed choices
- Design for discloser benefits
- Design metrics for accuracy and comparability
- Design for comprehension
- Incorporate analysis and feedback
- Impose sanctions
- Strengthen enforcement
- Leverage other regulatory systems

Source: Fung, Graham and Weil (2007).[49]

Figure 1.2.

## Evolution of the membership of the Open Government Partnership, 2011-2018
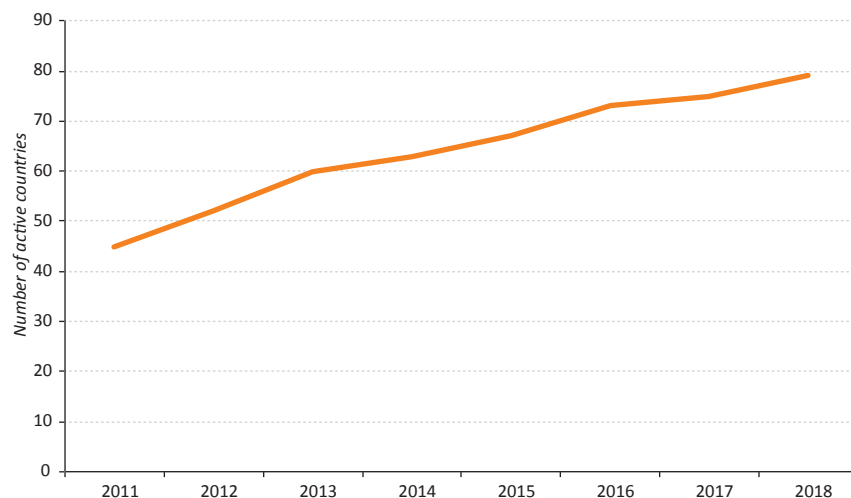
Source: Open Government Partnership, 2018.

the diffusion of such tools during the past few years. As of 2018, 139 countries had gone a step further and implemented open government data (OGD) initiatives that make data available to the public through central portals, as compared with only 46 in 2014.[51] Most of these portals offer data in machine-readable format, as per commonly accepted Open Government Data standards.[52] Several organizations are monitoring the type of data that is published by different governments through OGD initiatives.[53] The Open Government Partnership, launched in 2011, has been a highly visible initiative to promote open government, including (but not limited to) open government data. As of 2018, the partnership has 79 member countries.[54]

No global reviews of the effectiveness of OGD initiatives seems to exist. Cases studies from various countries documenting impacts are being compiled by the Open Government Partnership. Assumed benefits of OGD initiatives include value added for non-government actors, especially the private sector, transparency, and improved accountability.[55] However, evidence from individual countries seems to indicate that these objectives do not always materialize. Factors that seem to matter are whether OGD initiatives are promoted mostly from within government or by potential users of data, and whether they are shaped more by international than national forces. Lack of demand for open data by the local private sector and citizens can result from their insufficient involvement in the conception and design of OGD initiatives (Box 1.4).[56] International initiatives following OGD development highlight disconnects between the data that is published and the needs of different group of society.[57] Whereas OGD is often heralded as promoting government accountability, critics of the OGD movement have expressed concerns that governments put priority on releasing large amounts of raw, unstructured data, which are not readily usable by ordinary citizens.[58] Experts have pointed out the need for capacity to be built in the public to interpret the data that is published (for example, in the form of non-governmental organizations that can play the role of intermediaries, or the press). They also express concern that governments can use the concept of open government to give the appearance of being more open while still lacking transparency and accountability.[59]

Box 1.4. A stakeholder analysis of open government data in Chile
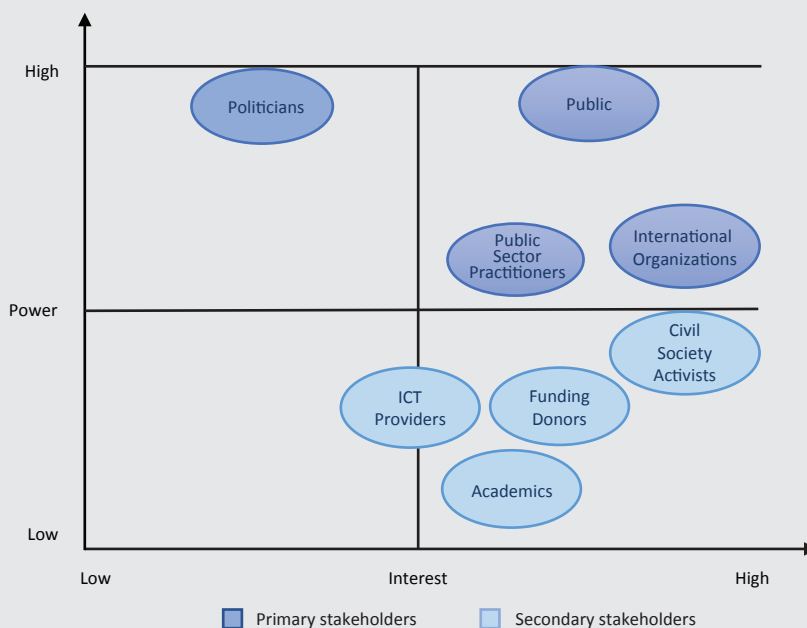
In an article published in 2015, Gonzalez-Zapata and Heeks (2015) used a stakeholder analysis in the field of open government data (OGD) in Chile. They concluded that "First, OGD in Chile has been mostly determined from within government. Second, it has been shaped rather more by international than national forces". The study also noted two "absent" stakeholder groups: the local private sector and citizen-users. The absence of the former was linked with a lack of channels for participation, and "lack of motivation" from local private firms. As for the latter, the study noted that "it seems that individual citizens are not often users of open government data in Chile, with users more often being organizations of civil society, media and academics. This might change in future as citizen awareness and connectivity grows".

Source: See footnote.[60]

Fiscal and budget transparency

Fiscal and budget transparency have a long history. The latter is encompassed in the former, which also includes transparency in tax matters and other domains (for a more detailed treatment of budget transparency, see chapter 3, section 3.3). Principles of fiscal transparency have been developed by the Global Initiative for Fiscal Transparency (GIFT) initiative in 2012, and the UN General Assembly took note of them that same year.[61]

Budget transparency is monitored by several international institutions. The Open Budget Surveys of the International Budget Partnership, an international NGO, are perhaps the best known regular source of information on national practices in this area. The findings of the Surveys are synthesized in the Open Budget Index, which is widely cited.[62] According to the International Budget Partnership, at the global level, public availability of budget information improved slowly but regularly from 2008 to 2015, but declined between 2015 and 2017. As a whole, more budget information seems to be available to the public now than was the case a decade ago. There is a wide range of variations in disclosure practices across countries and regions.[63] A more comprehensive survey of budget transparency is provided in chapter 3 of this report.

Beyond the data produced by international surveys, issues regarding budget transparency encompass other dimensions. Typically, parts of government revenues and expenditures are managed outside the main budget (for example, special purpose funds created to receive and manage natural resource revenues or certain tax proceeds). Information on such funds may be less transparent than that of the main budget, and may not be covered by international monitoring initiatives.

Information on government revenues (and associated expenditures) from natural resources, because of their importance to the public resources of many countries, has been the object of much attention in the area of transparency. Specific transparency initiatives have been put in place in extractive industries. They include the Extractive Industry Transparency Initiative (EITI), which was established in 2003, and its complement in the private sector, the Publish What You Pay campaign, the Kimberley Process for diamonds, and many others. Among these, EITI is the most well known. As of November 2015, 31 countries were "EITI Compliant" and another 49 were "EITI Candidates." In total, 49 countries had disclosed payments and revenues worth some $1.67 trillion in more than 200 "EITI Reports", and over 90 major companies involved in oil, gas, and mining were committed to supporting the EITI.[64] The EITI has been abundantly studied. Research seems to be divided on its impacts on governance and outcomes for citizens.[65]

Lack of transparency of governments around public-private partnerships (PPPs) has also been a concern. More and more countries are publishing PPP information proactively.[66] Several countries have launched disclosure portals to make non-confidential information relating to PPP contracts available to the public (e.g. Nigeria and Kenya). Proactive concessions data releases, including the release of contractual agreements, licenses, and accompanying spatial data, have been on the rise globally and are specifically encouraged by partnerships such as EITI. There is however no universally agreed-upon standard for the disclosure of information related to logging, mining and agricultural concessions, oftentimes resulting in data quality issues (e.g. data out of date, incomplete or inaccurate).[67]

General conclusions on transparency

The empirical research provides a multifaceted picture about the successes and impacts that can be achieved through transparency initiatives. Results show that transparency may be an important deterrent of corruption, but the relationship between the two is not straightforward.[68] Greater fiscal transparency appears to be linked with higher quality of financial management and public procurement.[69] The efficacy of transparency in encouraging greater accountability and performance in government is highly variable.[70] Likewise, there are no universal patterns in terms of the impacts of transparency on citizen participation, trust in government and citizen satisfaction.[71]

Until recently, the right to information and OGD movements have existed quite independently from each other. A trend that has worried defenders of the right to information in recent years has been the tendency of some governments to give priority to open government data initiatives, and sometimes minimize the importance or suggest the redundancy of access to information frameworks. Yet, the two types of mechanisms have very different objectives. Data that is critically important in order for stakeholders to keep governments accountable may not be disclosed spontaneously by governments. In addition, access to information laws often constitute the basis on which OGD initiatives can be built.[72] The two movements can complement each other, with open data for example potentially reducing the number of information requests and delays in the receipt of information.[73]

The development of targeted transparency as a policy tool has led to it being dubbed "second generation transparency policy", as opposed to first-generation right to information policies. The fast development of information and communication technologies over the last 10 years is thought to have brought about a third generation of transparency policies, which are based on the pooling of dispersed information contributed by individuals as users, customers or citizens.[74] This approach has been increasingly harnessed by governments as they strive to improve public services through e-government. Aspects of this linked to transparency most closely can be found in, for example, the mobilization of citizen-generated information on progress made in public works – a mechanisms used to curb opportunities for corruption – and other tools linked with social accountability (see below).

Ultimately, first-, second- and third-generation transparency policies are complements. A challenge for countries in the future is to establish appropriate transparency infrastructures and put in place the enabling conditions that can enhance the impacts of all types of transparency initiatives.

1.3.3. Inclusive and participatory decision-making

The notions conveyed by the terms used in target 16.7 encompass or intersect with commonly used terms such as engagement, participation, collaborative governance, and others. Here as for other principles, lack of clarity in the definition of the concepts that are used by different scholar and practitioner communities has been described as an impediment by experts. One among several definitional issues is linked with the fact that commonly used scales of participation (such as the one produced by the International Association for Public Participation, which is often used by practitioners) include "information" as one extreme category, thus creating overlap with the concepts of access to information and transparency.[75] Another one is the overlap between participatory mechanisms and social accountability mechanisms. In fact, for many experts, social accountability includes participation and engagement as a core component.[76] In this chapter, the word "participation" is used in a broad sense. This section considers only direct participation, as opposed to indirect participation through representative systems.[77] It does not consider mechanisms limited to the provision of information by governments to citizens, albeit those are a critical prerequisite to participation.[78]

The past few decades have witnessed the development of a myriad of participatory mechanisms, in many countries, fields, and forms, and at different geographical levels. Table 2 provide examples of different types of mechanisms, categorized around three variables: consultation versus decision-making powers; sectoral versus cross-sectoral; and geographical level. This chapter considers only a subset of those categories, and specifically: (i) participation in decision-making at the central (as opposed to sectoral) level; (ii) cross-sectoral (systemic) consultation mechanisms; (iii) participation at the sectoral level, including consultation mechanisms, co-management, and participatory management of natural resources; (iv) environmental and social impact assessments; and (v) co-production of public services. Participatory budgeting is reviewed in chapter 3 (see section 3.6). Participation is also a central component of social accountability initiatives, including social audits; this category is covered below in the section on accountability.

Institutional developments under these categories occur within what practitioners refer to as "civic space", i.e, the broader environment for engagement of citizens and civil society in governance. Civic space has been measured in a number of different ways. It usually includes dimensions such as freedom of information and expression, rights of assembly and association, citizen and civil society participation, non discrimination and inclusion, human rights and rule of law. This concept thus englobes (at least partly) several of the institutional principles considered in this report. However, experts have underlined the lack of effective measures of this concept, and the associated difficulties in assessing related trends.[79] Recent publications have flagged a trend of reduction of civic space.[80]

Table 1.4.

Examples of participatory mechanisms

	Consultation activities		Participation in decision-making	
	National	Local	National	Local
Cross-sectoral	National Economic and Social Councils National Sustainable Development Councils	Local Agenda 21	Formal consultations in policy processes	Participatory planning and budgeting
Sectoral	Sectoral councils and advisory committees	Social impact assessments Environmental impact assessments	Multi-stakeholder partnerships Co-production of public services	Participatory management or co-management of natural resources

Source: Authors' elaboration.

Note: Some mechanisms are relevant both at the national and local levels.

Box 1.5. Youth participation

Despite youth representing a high proportion of the world population, with 1.2 billion young people aged 15 to 24 years accounting for 16 per cent of the global population,[81] youth participation and representation in institutional political processes and policymaking is low compared to other age groups.[82]

Low rates of parliamentary involvement, political participation and electoral activity are observed among youth worldwide.[83] In 2016, the proportion of members of parliaments under 30 (respectively 40) years of age was 2 (respectively 14) percent. In addition, almost one-third of all single and lower houses and more than 80 per cent of upper houses had no members aged under 30. Reasons for an underrepresentation of young people in parliament include, among others, the fact that the minimum age required to run for office is often higher than the minimum voting age; and the fact that parties tend to look for parliamentary candidates with prior political experience.[84] In addition, the participation of young people in the drafting of legislation and the formulation, monitoring and implementation of policies affecting their lives is often limited.[85]

Governments are increasingly trying to acknowledge the critical role of young people through, among others, the creation of youth parliaments; the designation of youth delegates; the engagement of youth-led structures in policy design, implementation and follow-up; online and offline consultations with youth; and youth engagement in processes pertaining to the implementation of the 2030 Agenda.[86] The effectiveness of these mechanisms does not seem to have been systematically studied. The Youth Policy Toolbox (https://yptoolbox. unescapsdd.org/) developed by UNESCAP provides a repository of knowledge, experiences and practices in relation to youth engagement, covering the Asia-Pacific, Africa and Middle-East regions.

Source: Authors' elaboration.

Participation in decision-making at the central level

Some countries have adopted national standards for stakeholder consultation, such as Austria's 'Standards of Public Participation', and the UK's Code of Practice on Consultation. According to the OECD, an overarching document on citizen participation in policy making, such as manuals, guidelines or strategies, provides an important step towards a more integrated approach to citizen participation. Less than half of OECD countries (46%) have developed such documents.[87]

In many countries, Governments have put in place processes for consulting stakeholders at different stages of the elaboration of new policies. Participation in policy-making at a high (central) level is monitored in different ways. The World Governance Indicators of the World Bank include a component of public participation in decision-making. The OECD includes indicators on participation in policy making in its Government at a glance publication.[88] The indicators used in both publications are not obvious to interpret in a comparative way. Since 2012, the United Nation's eGovernment survey has monitored

Figure 1.3.

Number of countries conducting e-consultations in different policy areas, 2014 and 2016
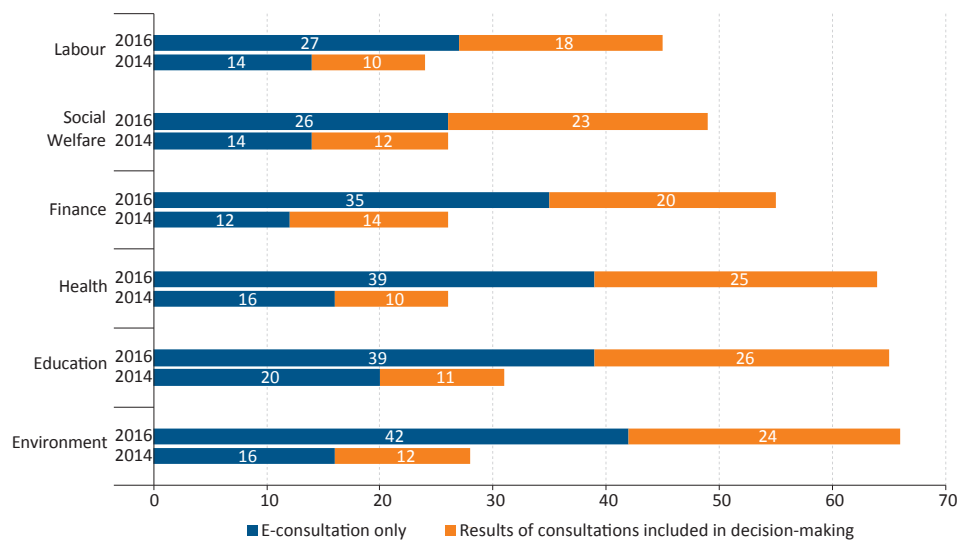
Source: United Nations E-Government Surveys 2014 and 2016.

e-participation in 193 countries, distinguishing among the provision of information, consultation and consideration of the results of consultations in decision-making. The trends show an increase in the number of countries that use e-consultation over time, and also indicate that governments often acknowledge how e-consultations have informed decision-making.[89]

Consultation mechanisms at the systemic level

Consultation mechanisms at the systemic (cross-sectoral) level include traditional "corporatist" advisory councils such as Economic and Social Councils, and structures linked with the sustainable development tradition such as national sustainable development councils (NCSDs).[90] The former type of institution is widespread around the world. The role of these institutions is consultative. Their impacts have been varied.[91] The latter type emerged after the Rio Conference on Environment and Development in 1992, and has received renewed attention after the adoption of the 2030 Agenda. These institutions are now widespread, with many councils being active parts of the institutional arrangements for SDG implementation at the national level.[92] Compared with Economic and Social Councils, the effectiveness and impacts of NSDCs have not been extensively documented.[93]
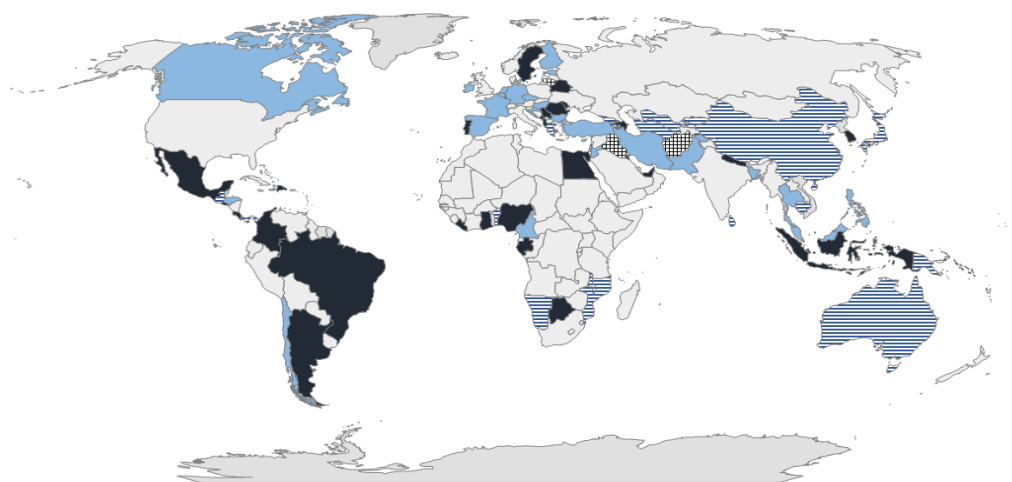
Participation at the sector level

Over the years, many countries have put in place consultative participatory mechanisms at the sector level. As presented in chapter 4 of the World Public Sector Report 2018, this has encompassed a great variety of institutional mechanisms and channels for engagement.[94] No global mapping of the different kinds of engagement mechanisms seems to exist for any sector. The types of structures for stakeholder engagement used in various sectors include multi stakeholder networks and platforms, multi-sectoral committees or councils, and advisory and expert committees. Consultation approaches also include public hearings, workshops, consultations through open meetings, and incorporating stakeholders in teams responsible for preparing strategic documents (e.g. policies, plans or programmes). The level of stakeholder engagement as well as the structures and approaches to foster stakeholder engagement vary across sectors and within the same sector from country to country. [95]

No comprehensive global mapping of the different types of consultative mechanisms seems to exist for any sector. Similarly, a systematic analysis of these consultative mechanisms has not been undertaken. Taking the water sector, one of the most studied, as example, research seems to indicate that these approaches and tools have been effective in promoting information-sharing and consultation for policy planning, and to a certain extent, for policy implementation, but less so for advancing more active forms of engagement such as collaboration and empowerment. Engagement in water policy monitoring and evaluation seems to be weaker than in policy planning and implementation.[96]

Figure 1.4.

World map of National Sustainable Development Councils as of 2017

Legend:
- No NCSD found (110)
- New NCSD created specifically for the SDGS (34)
- NCSD reportedly in the process of being established (4)
- Existing NCSD but role in SDG implementation unclear (18)
- Pre-existing NCSD, involved in SDG implementation (28)

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Source: United Nations, 2018, World Public Sector Report 2018.

A wide range of participatory mechanisms go beyond consultation and focus on public participation in implementation, mostly at the local level. Public participation in infrastructure projects, school-based management projects and community engagement in the delivery of primary health care services are among those that have been extensively studied in the context of developing countries, in particular because they were promoted by donors. Evidence of their effectiveness is inconsistent, both in terms of changes in outcomes, and in terms of empowerment of citizens and civil society. For example, one study of participation in infrastructure projects in Pakistan found that community engagement substantially improved project maintenance, but that community involvement in technical decisions was detrimental.[97] Scholars have recently emphasized the importance of enhancing vertical coordination in participatory mechanisms geared at social accountability.[98]

Participatory management of common-pool resources such as water, forests and fisheries, has been an area that has witnessed rapid development over the past three decades. Such arrangements can emerge spontaneously or be initiated by governments. For example, in developing countries the handing over of rights to existing natural forests to rural communities emerged in the 1980s. No global mapping seems to exist for these types of arrangements.

Much of the literature on community-based natural resource management has focused on the conditions under which community participation leads to greater resource sustainability.[99] Many case studies suggest the viability of community management of natural resources, with or without state assistance. Yet outcomes observed are extremely heterogeneous, and do not easily lend themselves to extrapolation outside of their local contexts. Existing reviews suggest that the objectives of resource sustainability and increased equity in the distribution of benefits from resource use are not automatically consistent. They also suggest that projects sponsored by donors in this field have often been based on unrealistic expectations and timelines, and have often failed to take into account the complexity of local social and political contexts, leading to project failure.[100] They further highlight the importance of establishing clear and credible systems of accountability as a precondition for the success of participatory management projects,[101] as well as establishing robust monitoring and evaluation systems.[102]

The literature underlines the gaps that exist between understanding factors that may be conducive to the success of individual participatory initiatives in specific places, and the broader understanding of how similar initiatives or institutions may perform in other contexts. For example, progress has been made in identifying critical variables that impact the success of collaborative governance processes. Within the public administration field, a landmark article published in 2007 identified such variables related to actors, process design and broader context that can positively influence the

working of collaborative governance processes, although without considering their performance in terms of substantive outcomes.[103] Decades of research on the co-management of common pool resources have elicited a broader set of dimensions that matter for the success of these arrangements, as measured by the sustainability of outcomes for the underlying socio-ecological systems.[104] This research highlights the high level of complexity of the management of socio-ecological systems, with no fewer than 51 broad variables of interest, spanning seven dimensions.[105] This in turn highlights the difficulty of capturing the determinants of the performance of institutional arrangements and foreseeing how they might perform when transposed to other contexts.

Environmental and social impact assessments

Environmental impact assessments (EIAs) and social impact assessments (SIAs) aim to identify and manage the (social or environmental) impacts of policies, projects, plans and programmes prior to their implementation. They have been used since the 1970s. The adoption of EIAs and SIAs by the multilateral development banks was a key step towards their global diffusion. Both types of instruments have a fundamental dimension of participation at their core; both include the production of new information through the consultation of local stakeholders. Yet, there is no general agreement in the literature on what constitutes good practice in relation to public participation in environmental impact assessments.[106]

Both the practices of EIA and SIA have evolved over the years and have been adopted widely. EIAs have become a legal requirement in many countries, sometimes incorporating elements of SIA. In some countries, SIAs are also a legal requirement. Often, SIA and EIA are carried out as an integrated environmental and social impact assessment (ESIA) or other variants. Over time, the scope of social and economic variables analyzed through SIAs has greatly expanded. A recent review of legal frameworks for EIAs concluded that while a number of countries had recently strengthened their regulatory frameworks, in other countries there had been a trend toward weakening the EIA process. [107] It has been noted that the spread of accountability mechanisms in multilateral development banks (for instance, the World Bank's Inspection Panel) has contributed to increase the political salience of those instruments.[108] An evaluation of these instruments in the context of World Bank projects was done in 2010.[109]

Co-production of public services

Co-production involves citizens and businesses directly in the design and implementation of public policies from which they benefit. It has been promoted by governments as a way to recognize the role that citizens, businesses, civil society organizations and other interested parties can play in designing strategies for public services, to deliver services closer to citizens' needs, and to increase trust in government. Techniques

Box 1.6. Participation in environmental impact assessments: lessons from a global review

A recent global review by the United Nations Environment Programme (UNEP) highlighted the following aspects in relation to participation in environmental impact assessments.

1. Public participation requirements for EIAs are being expanded in some countries, although mostly limited to the scoping and review stage. The required level of participation varies considerably, as well as interpretations of who "the public" is. Only a limited number of countries' national EIA legislation includes specific provisions related to the participation of indigenous peoples.

2. Despite growing recognition of SEAs as a tool to strengthen democratic control, little guidance is provided in many countries' SEA legislation regarding public participation, including access to information.

3. Many national EIA laws leave high levels of discretion to implementing agencies. While in some cases this can provide important flexibility to apply the regulations to different circumstances, it can also lead to uncertainty about the process, and inconsistent application.

Source: UNEP, 2018.[110]

commonly used in this regard include crowd storming, crowdsourcing, hackathons, civic hacking, living labs, and prototyping.[111] Co-production is potentially relevant to many policy areas, for example the provision of care services to older people. While a scholarly literature on "co-production" and "co-creation" has developed over the last decade, there does not seem to exist large-scale reviews of the effectiveness or impacts of the corresponding initiatives.

1.3.4. Accountability

In general, accountability denotes the obligation of an individual or organization to account for its activities and accept responsibility for them. As a relational concept, it covers many varieties. This chapter considers only accountability of the public sector, and only four varieties thereof: accountability of governments through formal oversight mechanisms; accountability in the public service; social accountability; and accountability of partnerships.

Government accountability through formal oversight mechanisms

Modern forms of governments include formal oversight mechanisms. Two mechanisms that are almost universal are parliaments and supreme audit institutions (SAIs).[112] Both mechanisms, through different processes, exert an oversight function over the executive branch of government, including with respect to core government functions such as budgeting. Among the commonly assumed benefits of effective oversight are increased transparency of government processes, resulting in increased accountability; and enhanced policies.

Among other sources, information about various aspects of the delivery of their oversight functions is provided by ad hoc surveys of the Inter-Parliamentary Union (IPU) for parliaments and by the International Organisation of Supreme Audit

Institutions (INTOSAI) for SAIs. The Open Budget Survey of the International Budget Partnership also includes questions on budgetary oversight by parliaments and supreme audit institutions. None of these surveys currently covers all countries.

The constitutional mandates conferred to parliaments in terms of oversight vary, as does the political space in which parliaments conduct their debates and the processes they use for doing so. For example, out of a sample of 115 countries, the Open Budget Survey 2017 found only 29 in which the legislature (in full or by committee) debates and approves key policy recommendations prior to the tabling of the budget.[113] Legislatures are able to provide limited oversight in the budget process, with slightly more influence over the budget formulation and approval stages than during the budget implementation and audit stages. Legislatures amend the budget in over half of the countries surveyed, but in a majority of countries, the executive is able to change the budget during implementation without legislative approval.[114] A survey undertaken by IPU in 2017 found that half of the parliaments in the sample had systems in place to monitor compliance with international human rights treaties.[115]

Among key challenges to effective parliamentary oversight are lack of resources and staff to conduct independent analysis of the questions under consideration; information gaps between governments and parliaments; insufficient time to review the budget and other issues; lack of willingness of governments to engage with parliamentary oversight; and conflicting incentives for majority members of parliaments to challenge the government.[116]

The scope and depth of the oversight exerted by SAIs is variable across the world. Many SAIs undertake performance audits, but others are limited to conducting compliance and financial audits. On the one hand, over the past decade there has been a

clear trend of professionalisation of SAIs.[117] Yet, this has not been uniform across countries. Limited resources are a constraint for SAIs in many countries, as are capacity issues. Regional and international organisations linked with INTOSAI have provided support in this area, including on the topic of auditing the preparedness of governments for SDG implementation and auditing SDG implementation.[118] The Open Budget Survey 2017 shows that SAIs globally enjoy a fairly high degree of independence.[119] Notwithstanding this, in many countries, lack of independence of SAIs remains a concern.[120]

There are limited global studies of the effectiveness of the oversight functions of parliaments and supreme audit institutions.[121] SAIs have been found to be effective in curbing corruption in a small number of observational studies. A small body of consistent evidence indicates that the use of specialised audits, such as forensic or performance audits, is effective in detecting and reducing corruption when combined with punitive sanctions.[122] One of the indicators of such effectiveness is the degree to which governments take up and follow up on recommendations included in audits and coming out of parliamentary debates. This has been an issue in developed and developing countries alike. In a recent survey, IPU found that only about half of parliaments had established systems for tracking recommendations made to governments.[123] An essential limitation to effectiveness is the lack of publicity of the work of oversight bodies. Many SAIs do not have the mandate to publish their audit reports. Existing data also point to the potential for more effective collaboration between Parliaments and SAIs. For example, one third of parliaments appear to lack clearly established procedures for reviewing the reports transmitted by supreme audit institutions.[124] In the aforementioned survey, IPU found that fewer than one third of parliaments surveyed had undertaken a review of the performance of their oversight role in the last five years.[125]

Oversight mechanisms can use engagement with civil society and individual citizens to make their work more effective. Social audits have combined participation with audits to allow auditors to collect information directly from citizens as service users. Civil society can also serve as a powerful means to publicize and echo recommendations made in audits. Such forms of engagement of SAIs have increased over the years, although not in all countries. No recent global mapping of these initiatives seems to exist.[126] The results have been variable across countries, with many case studies showing how social audits have exposed corrupt practices of public officials and have helped improve the delivery of public services.[127] A recurring question in the context of this movement has been how SAIs can engage with outside groups in the conduct of their work without compromising their independence both in fact and in the eyes of the public.[128]

Accountability in the public service

Accountability in the public service has traditionally been understood mostly in terms of upwards accountability to rulers. Public service reforms undertaken under the banner of new public management in past decades emphasized the use of mechanisms inspired from the private sector, such as performance frameworks, performance-based pay, and the use of various processes of reporting in order to enhance performance and accountability. They also introduced forms of downward accountability to citizens (seen as users), for example in the form of citizen charters for public services, systems for allowing citizens to track the status of specific interaction processes with the administration, and mechanisms for lodging complaints. E-government has played a role in this trend through, inter alia, the provision of information linked with administrative processes and electronic interface mechanisms between citizens and public administration.

There does not seem to exist global monitoring initiatives covering all the sides of accountability in the public service. A vast literature exists on the impacts of public administration reforms undertaken in the past three decades under the new public management and other banners.[129] There seems to be a consensus that accountability through internal control and reporting mechanisms has increased, as have the mechanisms of control outside organizations (including audit, ombudsmen, verification of compliance with international and national law, and others). At the same time, in many countries the multiplication of regulatory and other agencies that are independent from ministries has complexified accountability lines, as has the trend to manage public service officials through performance contracts.[130]

Social accountability

Social accountability – defined as citizen-led action geared to demanding direct (outside of formal electoral systems) accountability from public officials for the delivery of public services – emerged more than two decades ago. Social accountability initiatives usually involve citizen participation in one form (for example, public hearings), combined with access to information on the use of public funds, to directly seek accounts from public officials and service providers. The rationale for the approach was based on the realization that failure of public institutions to deliver for people living in poverty could be addressed through direct participation of citizens in governance[131]. In parallel, social movements were arguing that governments had an obligation to protect and provide basic services as statutory rights defined in constitutions or in the law, rather than 'needs' which were at the discretion of officials to interpret and fulfil.[132] The approach gained popularity after the publication of the World Bank's 2004 World Development Report, which argued in favor of the "short road" to accountability – meaning channels for direct accountability

between users and providers of services, as opposed to the "long route" of accountability of providers via elected politicians and public officials.[133]

Social accountability initiatives have made use of a variety of tools that involve some type of citizen feedback on services received as well as on the use of public funds that should reach them. Those range from consultation tools to tools that promote two-way interactions between the State and citizens. They include: citizen report cards, which measure people's satisfaction with public services; community score cards, which combine the use of report cards by service users to self-assessments by providers and follow-up actions based on the results; public expenditure tracking surveys; community monitoring, by which communities monitor activities of public agencies; social audits and public hearings; and complaint and grievance redress mechanisms (which may include public service charters, complaint hotlines and complaint management systems, sometimes associated with incentives and sanctions for public service providers). Citizen-based accountability strategies are increasingly being used in efforts to improve public services. There is however no global map of social accountability initiatives.

Among often assumed benefits of social accountability initiatives are: increased satisfaction with public services and increased accountability of public service providers; reduction in corruption; and increased citizen engagement in public matters. However, research over the past two decades has shown that such benefits cannot be taken for granted. To some extent, there is evidence that social accountability initiatives have been effective in terms of immediate goals – raising citizens' awareness of their rights and exposing corruption. For example, public expenditure tracking surveys and community monitoring have been found useful to expose leakage of resources in the countries in which they have been used. On the other hand, the evidence in terms of impacts on accessibility and quality of services and improved outcomes for citizens is mixed and varies across locations.[134] Linking citizen voice and accountability can work only when citizens are powerful enough to make demands and those in positions of power are willing and have the capacity to respond.[135] The extent to which social accountability mechanisms are able to address corruption in a structural way is also limited; while corrupt actions may be exposed in the process, it does not necessarily follow that corruption itself decreases structurally;[136] for this to happen, the findings of social accountability initiatives have to be followed up through other formal accountability mechanisms such as investigations of corruption and sanctions.[137]

The latest thinking suggests that broader, multi-pronged, multi-level, strategic approaches that cover various aspects of transparency, accountability and participation may overcome the limitations of narrow, localized successes in this area.[138] In particular, experts underline the importance of combining social accountability initiatives with citizen empowerment (including

legal empowerment); the existence of organized civil society to help citizens mobilise and make them aware of their rights; the importance of having champions of accountability reforms in government; and the importance of a dynamic press that can publicize the findings of social accountability projects.[139] As a whole, experts point out that there is often a lack of clarity on the causal models underlying the assumed benefits and impacts of social accountability initiatives. With regard to analyzing the broader impacts of these initiatives, they also highlight the difficulties in separating out the contributions of specific projects from those of broader contextual factors,[140,141] as well as the importance of taking into account the history and trajectory of citizen-state interaction and informal relationships between societal groups and state actors for understanding outcomes.[142]

Accountability of multi-stakeholder partnerships and public-private partnerships

As documented in the World Public Sector Report 2018, multi-stakeholder partnerships (MSPs) at the sectoral level have been increasingly prominent over past decades. Past decades have also witnessed an increased focus on the role that philanthropy and philanthropy-based partnerships could play for sustainable development through both financial and non-financial means. Partnerships are motivated by diverse factors and objectives, with varying governance structures and distinct operational challenges. High hopes have been placed on MSPs in the context of the implementation of the 2030 Agenda. Several countries have put forward frameworks for multi-stakeholder partnerships in relation with the SDGs.[143]

Evidence on the effectiveness and impacts of multi-stakeholder partnerships has accumulated over recent years.[144] However, there have been concerns that partnerships can sometimes be at odds with integration and policy coherence at the national level, similar to what can happen with development aid.[145] More generally, given the prominence of MSPs in the context of the 2030 agenda, calls have been made for the definition of clear principles under which partnerships should operate. This reflects the widely held view that there is a need for further defining governance arrangements for MSPs, including in terms of transparency and accountability.[146]

Accountability of public-private partnerships (PPPs) has been a subject of attention for several decades. Major areas of concern have included the quality and affordability of services that they provide to citizens; their costs to taxpayers and the nature of the risk-sharing that is embedded in them; and their social and environmental impacts. This is the case for traditional PPPs in water provision, electricity provision, or infrastructure, and even more for partnerships linked with the exploitation of natural resources such as logging and mining concessions. The United Nations Economic Commission for Europe (UNECE) has developed a set of Principles for PPPs for the SDGs.[147]

1.3.5. Non-discrimination

Non-discrimination is a cross-cutting principle of international norms and standards. Formal discrimination refers to discrimination in law or policy. Informal – or interpersonal – discrimination occurs through social interaction.[148] Discrimination can be direct, or overt, or indirect. Indirect discrimination occurs when a policy, law or interaction appears to be neutral but nonetheless has the effect of disadvantaging certain groups of people.[149]

Non-discrimination is often addressed in a categorical fashion – e.g. by group. Groups that are most often covered by specific legislation include women, racial, ethnic or religious minorities, children, persons with physical, mental, intellectual and sensory disabilities, migrants, and people who experience discrimination on the basis of sexual orientation. The rights of older persons are also gaining attention due to the megatrend of population ageing. Another group facing discrimination on the basis of age are youth, for example with regard to accessing education and employment.[150]

Non-discrimination may be sought in general terms as well as in specific areas. Areas of protection from discrimination may include, inter alia, education, health care, employment, financial services, social protection, public institutions, personal security, justice, civic and political participation, and private and family life.

The principle of non-discrimination is mainstreamed in the 2030 Agenda for Sustainable Development,[151] and is the object of two of the SDG targets: 16.b, "Promote and enforce non-discriminatory laws and policies for sustainable development", as well as 10.3, "Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard." In addition, many targets of the Goals that seek universal access to public services or resources are directly relevant to non-discrimination.

Non-discrimination has strong linkages with other institutional principles of SDG 16. In particular, participation and inclusive decision-making, as well as access to information, play a key role in addressing discrimination.[152] At the most basic level, civil registration, which is the object of target 16.9: "by 2030, provide legal identity for all, including birth registration", is a fundamental requirement for participation, inclusion and non-discrimination (Box 1.7).

Progress in terms of non-discrimination can be monitored in various ways. First, by the ratification of international instruments by countries. Second, by perception and incidence surveys in the population. Third, by publicly-registered incidents of discrimination, for instance legal cases that are brought against public authorities or employers, reported hate crime incidents, or complaints registered with non-governmental

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Box 1.7. Civil registration and non-discrimination

It is estimated that 1.5 billion people worldwide are without legal identity, or an official identification document such as a birth certificate or national ID card.[153] Some countries have yet to establish effective registration systems, leaving many without such identification and increasing the risk of statelessness, which affects at least 10 million people.[154] Cost, distance, and bureaucratic barriers are also factors that hinder registration.[155] Lack of legal identity and statelessness are most common among disadvantaged groups and are sometimes a result of overtly discriminatory laws and policies, for example nationality laws that prevent women from legally passing on their nationality to their children.[156] The absence of legal identity also exacerbates and fuels discrimination by denying persons the ability to claim their rights and to participate in society. Legal identity is often required for attending school, obtaining a job in the formal sector, accessing medical care, utilizing financial services, owning property, or accessing justice.[157] At the same time, Governments without effective civil registration and vital statistics systems cannot know their citizens and work towards meeting their needs.

The international community has increased recognition of legal identity for sustainable development, as shown by the inclusion of a dedicated target under Goal 16. Since the adoption of the SDGs, significant efforts have been made by Governments and development partners to develop and strengthen comprehensive national identity or population registers, which often include the gathering of citizen biometric data.[158] These initiatives can both facilitate access to Government benefits and private services for those living in poverty and members of excluded groups, as well as reduce fraud and waste. However, particularly where biometric data is used, concerns about the protection of personal data, discrimination in the use of such data, as well as the risks of technical glitches have been raised and debated.[159]

Source: See footnotes.

organizations.[160] Fourth, discrimination can be measured in an indirect way, by looking at outcomes in different groups of the population in areas where discrimination is known to occur, or to the changes in those outcomes after anti-discrimination measures are adopted. However, discrimination is generally difficult to measure directly, although there are exceptions.[161] Additionally, the way discrimination is measured affects how prevalent and severe it is considered to be and, accordingly, how it is addressed.[162] Data in some areas are lacking and are often not comparable, particularly across countries.[163]

Development and effectiveness of international instruments

International law promoting non-discrimination is extensive. Many global and regional instruments focus on the rights of groups (e.g. women or persons with disabilities), as prohibited grounds of discrimination have expanded, as well as non-discrimination in sectors, such as employment and education. The 1990s in particular saw a significant number of instruments developed with implications for non-discrimination. In addition to international and regional instruments, there are many special procedures and bodies in the UN focused on the rights of social groups.[164]
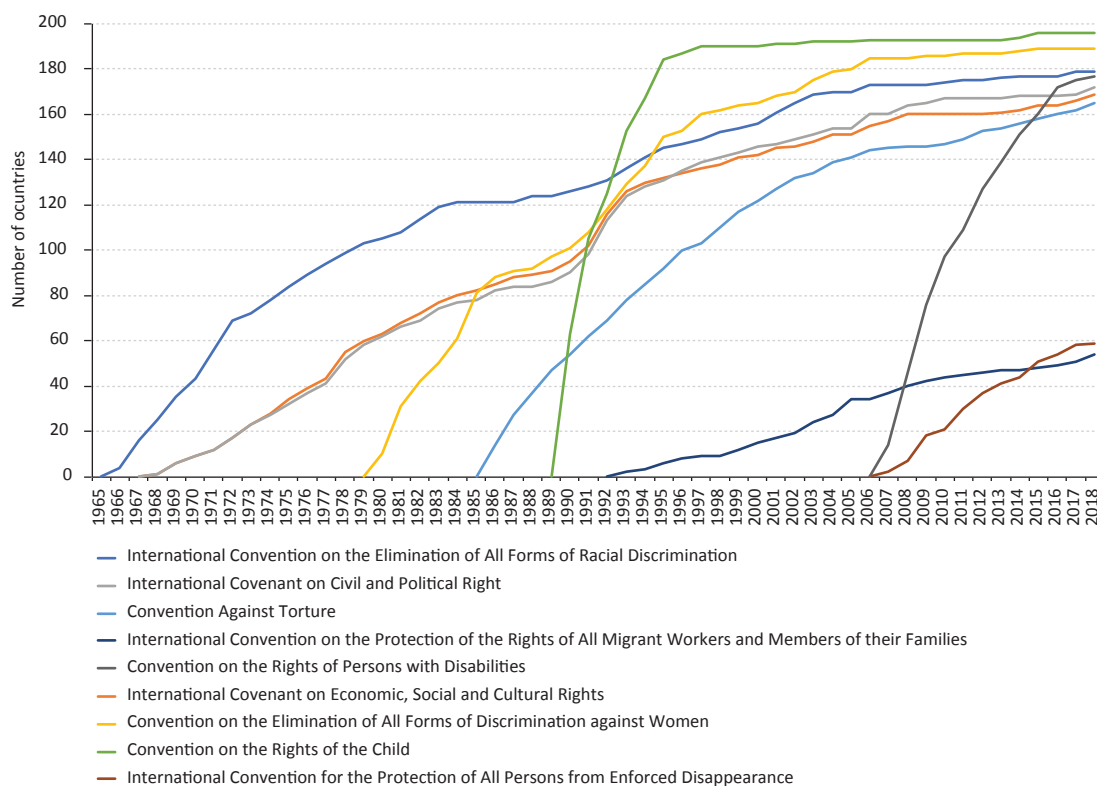
Key instruments have been widely, though not universally, adopted by Member States. For instance, the Convention on the Rights of Persons with Disabilities has 177 States Parties. However, in the case of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, there are just 54 States Parties.

Despite wide acceptance of the principle of non-discrimination, there are multiple challenges to the implementation of relevant international instruments. Many are reflected in Member States' reservations to provisions of international conventions, which are intended to alter or exclude their legal effect, or declarations, intended to clarify a State's understanding or interpretation of a provision.[165] Harmonization of national laws and policies to reflect treaties is often a significant challenge, as is the adequate enforcement of national laws. Another challenge is low awareness among the public of some instruments and the principle of non-discrimination.

The evidence on the effectiveness of international instruments in fostering non-discrimination has been mixed. In the case of women, the number of legal guarantees of gender equality has increased over the past two decades. The Convention on the Elimination of All Forms of Discrimination Against Women

Figure 1.5.

Countries having ratified core human right instruments, by year of ratification, 1966-2018

— International Convention on the Elimination of All Forms of Racial Discrimination
— International Covenant on Civil and Political Right
— Convention Against Torture
— International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
— Convention on the Rights of Persons with Disabilities
— International Covenant on Economic, Social and Cultural Rights
— Convention on the Elimination of All Forms of Discrimination against Women
— Convention on the Rights of the Child
— International Convention for the Protection of All Persons from Enforced Disappearance

Source: UN Treaty section.

(CEDAW) (1979) and the Beijing Platform for Action (1995) are considered to have led to positive changes in national law and been effective in furthering women's rights (see chapter 5).[166] Other instruments may be considered less effective, for example, the Madrid International Plan of Action on Ageing.[167] One study observed that ratification of international human rights treaties seldom has unconditional effects.[168]

National instruments, tools, and strategies

Governments across the world are making progress in developing new instruments to promote and enshrine the principle of non-discrimination, and in revising and eliminating instruments that have direct and indirect discriminatory effects.

The Constitutions of most countries guarantee equality for all citizens, with many additionally specifying the rights of specific groups. Most guarantee equal treatment based on gender, with or without exceptions. The Constitutions of 43 UN Member States guarantee equality and non-discrimination to persons with disabilities without exceptions, and those of four countries do so with exceptions. The constitutions of 10 countries protect the right to equity based on sexual orientation using specific language.[169]

Constitutional protections for women and persons with disabilities are on the rise. Prior to 1960, just half of Constitutions adopted provided guarantees to gender equality.[170] That percentage has steadily increased. Between 2000 and 2017, a full 100 per cent of Constitutions were adopted with such a guarantee. Prior to 1990, just 11 per cent of Constitutions adopted provided guarantees to equality based on disability, against 68 percent of those adopted between 2010 and 2014.[171] The number of constitutional guarantees of women's specific rights to political association, voting, and holding office are also on the rise since the adoption of the Beijing Platform for Action.[172] Similarly, constitutions adopted since 2006, the year of adoption of the Convention on the Rights of Persons with Disabilities, are more likely to explicitly guarantee the rights of persons with disabilities and not to include discriminatory clauses.[173]

Overtly discriminatory laws and policies are declining in number, and laws providing protection against discrimination are on the rise.[174] Adherence to the principle and respect for protective laws, however, vary.

As of August 2016, 71 countries guaranteed equal pay, 87 guarantee equal pay for work of equal value. With regard to promotions and demotions, the majority of countries provide legal protection to women from discrimination. However, 41 countries – across income groups - provide no such protection, with most in East Asia and the Pacific and sub-Saharan Africa.[175] Many laws prevent women from working or running a business. In 18 economies, husbands can legally prevent their wives from working.[176]

Many countries have also made progress in advancing legal protections for persons with disabilities, particularly in the area of labour. [177] However, many countries still have laws discriminating against persons with disabilities, particularly in the right to marry, in the right to legal capacity, in the right to vote and to be elected for office. Progress has also been observed in improving access to education and health care by persons with disabilities, including through laws protecting the right of persons with disabilities to education and to health.[178]

In many countries, legal advances have been made to protect the right to non-discrimination based on sexual orientation. Since the early 1990s, at least 45 countries have decriminalized homosexuality.[179] According to a recent report, 73 economies currently have laws to protect against discrimination on the basis of sexual orientation in the workplace; and 39 have laws punishing acts of incitement to discrimination, violence or hatred on the basis of sexual orientation.[180]

The SDGs outline a number of policies that can address discrimination directly and indirectly. This includes social protection systems and the universal provision of services, including health care and education. As noted above, basic civil registration, particularly of births, is important in order to combat discrimination. Many countries have adopted specific policies on the rights or well-being of specific social groups, as well as national plans of action, some of which may address specific challenges experienced by groups, such as women or older persons. For example, according to a World Bank report, between 2016 and 2018, 65 economies implemented 87 reforms to expand women's economic opportunities, particularly in the areas of improving access to jobs and credit.[181] In addition, the importance of complementary measures, which recognize that some social groups are more disadvantaged than others, is widely recognized. Special or targeted measures may include, for instance, affirmative action policies in education, housing, and access to finance, targeted cash transfers or vouchers for services, and policies that recognize and protect specific languages.

Special or targeted measures can be effective in redressing discrimination experienced by social groups (for women, see chapter 5 in this report). These measures are most effective when accompanied by relevant universal policies. Progress has been achieved for women in government through the reservation of seats in national and local government bodies, and for young people from low-income households and minority backgrounds in higher education through preferences in university admission, for example. [182] Quota systems are also used to promote employment of persons with disabilities, which oblige employers to hire a certain number or percentage of persons with disabilities. Such systems have been adopted by at least 100 countries.[183] A study of 145 countries using data from 1990 to 2010 found that national gender quotas are increasingly effective, largely due both to lessons learned regarding their design as well as to changing norms.[184] However, such

measures must take account of context. They are also subject to problems generally associated with targeting, such as elite capture and high transaction costs. [185]

A range of methodological tools has been used to integrate equality considerations into policy development and implementation. The equality impact assessment is an in-depth analysis which is carried out to assess the impact (negative or positive) that new legislation, policies or other initiatives might have from a non-discrimination and equal opportunities perspective. In particular, they consider the potential impact on disadvantaged social groups at risk of discrimination. Equality impact assessments are a statutory requirement in some EU countries. In the case of Finland, for instance, equality impact assessments have been mandatory for gender since the mid-1990s and for race since 2004. [186]

Challenges in implementation

Multiple challenges to the implementation and enforcement of national legal and policy instruments that promote non-discrimination have been identified. Reporting by victims of discrimination is generally low. [187] Awareness of available instruments and channels for seeking redress is also low in the population. [188] In the European Union, the adoption in 2000 of directives against discrimination on the grounds of race and ethnic origin and against discrimination at work on grounds of religion or belief, disability, age or sexual orientation has led to enhanced legal protections of rights and to some improvements in access to justice. Yet, while the number of complaints to courts and equality bodies has slowly risen,

relevant case law in most countries continues to be limited. A 2017 review of non-discrimination law in Europe identified several obstacles to litigation, including the complexity of discrimination law, inadequate financial resources with which to pursue cases, short time limits for bringing cases, as well as the duration and complexity of procedures. The fact that litigation occurs rarely was identified as an additional deterrent to those seeking justice. [189]

Similar barriers to justice are also present in developing countries – court fees and inadequate legal aid, slow and complex processes. [190] Traditional justice systems can also limit members of some groups from pursuing cases of discrimination. Moreover, where there are criminal offences, the State may not be willing to prosecute cases. The absence of an equality body (or insufficient resources or authority of such bodies) has also been identified as a challenge to the implementation of non-discrimination instruments and the protection and promotion of rights generally. [191] A recent assessment of the enforcement and effectiveness of anti-discrimination law from 23 countries and 3 regional or international bodies found that resistance to such law is prevalent and varies by context. [192]

Social norms are still considered to be a major barrier to ending discrimination in practice. However, norms are not static. There is strong evidence that legal instruments related to non-discrimination can promote positive change in attitudes among society-at-large as well as members of excluded groups with regard to acceptance and belonging, respectively. [193] Nonetheless, even where progress is made in shifting norms, gains can remain slow and vulnerable, and even be reversed in the short term.

Figure 1.6.
Evolution of the wage gap in selected developed countries, 1973-2017
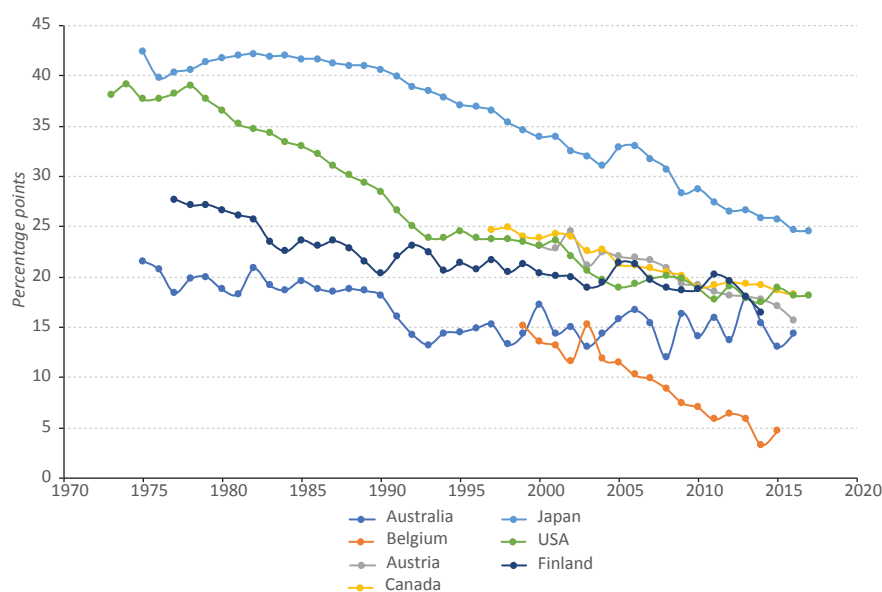
Source: Authors' elaboration based on OECD data.

Gaps as evidenced by perceptions

Available surveys show that discrimination remains entrenched. Europe is a region for which data are relatively abundant. For example, the European Union Agency for Fundamental Rights conducted its Second European Union Minorities and Discrimination Survey in 2015 and 2016 and published results in 2017. The results showed little progress compared to 2008.[194]

Gaps as evidenced by inequalities and differences in outcomes

One way to assess the scope and degree of persisting discrimination is to look at dimensions of inequality, such as in income, employment and access to goods and services. Inequalities between different groups can be caused by discrimination, among other causes. For example, from 1995 to 2012, enrollment in primary school significantly evolved towards gender parity. Latin America, which lagged behind in 1995, now has a ratio of around one.[195] In terms of employment, the gender gap in labour force participation has declined;[196] the global pay gap is around 20 percent (see chapter 5 for a discussion of accountability in relation to the gender pay gap).[197] The evolution of the wage gap in selected developed countries is illustrated in Figure 1.6.

In terms of well-being, gaps between indigenous peoples and the rest of the population remain wide. In Latin America, for example, indigenous peoples remain among the most disadvantaged groups, as measured by infant and maternal mortality rates, access to health care and social services, poverty rates and school enrolment.[198] Outcomes for older persons and persons with disabilities also suggest that progress remains to be made in terms of combatting discrimination against these groups. [199]

1.4. Conclusion

Monitoring developments of institutional aspects of the SDGs over the next 12 years until 2030 will be a challenge. Based on the limited review undertaken for this report, more work is needed to provide a comprehensive, global review of developments in this area.

The limited review presented here shows the following. First, in spite of the multitude of national level indicators and indices that have developed over time around all dimensions of governance, no comprehensive information system exists that would provide trends in simple, readily understandable forms for all institutional dimensions and all countries. Institutional developments in relation to some dimensions are well covered for some groups of countries, but this is not the rule. As a result, one is unable to answer basic questions such as what the global state of participation and citizen engagement is; whether governments on the whole are more or less accountable than a

decade ago; and what global trends are in terms of corruption prevalence. Second, in all the dimensions covered here, more evidence is available on the process side of the performance of initiatives than on their outcomes and broader impacts.

In spite of these limitations, some robust conclusions can be drawn. First, in a long-term perspective, there has been a steady wave of international and national legal instruments and other initiatives, which have framed institutional developments in relation to all the institutional principles considered in this chapter, The wave of access to information laws, the adoption of new norms and standards for financial transparency, the development of open government data, the development of new channels for direct citizen participation the multiplication of anti-corruption instruments, and the rapid development of anti-discrimination norms are undeniable and, at a first level, this can be seen as a sign of progress.

Second, rapid changes in information technologies are modifying the parameters that define the space in which policies and institutions related to the institutional principles under examination here develop. Drastically reduced costs of producing and disseminating information have made possible the development of the open government data movement. The Internet has enabled almost universal adoption of e-government practices, including channels for e-participation. The existence of Internet, by making existing information easier to record, store and find, has altered the balance of power between governments that hold the information and citizens or organizations that request it.[200]

In spite of this, when focusing on outcomes and impacts of the observed changes, it remains difficult to construct a clear global picture in terms of "progress". The literature shows that the impacts of transparency, accountability and participation initiatives vary widely. Enforcement of laws can be an issue, as illustrated above, and this can be linked to multiple factors, including limited resources and capacity in government. Resistance to change in public institutions or in political leadership can also be a constraining factor. These challenges all lead to gaps between the assumed objectives of these initiatives and their actual impacts.

For all the principles reviewed here, experts point to a lack of clarity on causal links and the lack of clear models of institutional change. This is to say, the assumptions that link specific actions or processes to expected outcomes are often not made explicit and are not tested. This often results in high expectations that do not materialize. Moreover, the broader political and institutional environments and prevailing social norms in which such causal links operate vary widely across jurisdictions. Experts all underline the importance of context, and the lack of replicability of institutional instruments. In all, the question of the effectiveness of institutional arrangements that seek to promote accountability, transparency and inclusive decision-making remains a vexed one.

Third, recent literature has pointed to the importance of using broad strategies that combine multiple instruments, as opposed to individual institutional mechanisms. For example, when working on social accountability for the delivery of public services, combining the use of social participation tools with actions that promote legal empowerment may result in higher likelihood of enhanced accountability. In general, the effectiveness of specific institutional arrangements crucially depends on the broader accountability system that prevails in a given country.

In coming years, the following steps may facilitate our understanding of institutional developments in relation with the implementation of the SDGs.

First, defining and measuring progress in terms of national institutions for the SDGs can only be done meaningfully in reference to the national context. Understanding developments of institutions in relation to implementation of the SDGs at the national level (and sub-national level when relevant) requires taking into account the history and institutional setting of each country. SDG 16 and the SDGs more generally provide a convenient frame or umbrella for looking at institutions in a holistic manner. In particular, the SDGs and their targets provide a map that can enable the identification of sources of information across all sectors that are relevant to assessing progress on institutional dimensions. Yet, developing indicators that are both relevant and reflect the multiple dimensions of institutions, and measurable, remains a formidable challenge.

In any given country, various established institutional processes are at work in areas of relevance to SDG 16 (for example, reforms of the justice system, reporting under various international treaties, internal monitoring done by government agencies, and audit reports). Many of those have developed monitoring systems that track changes, outcomes and sometimes impacts. Finding appropriate ways to assemble information coming from those processes would enable reviews that that are relevant to national circumstances and can inform SDG implementation and monitoring. Many countries have started in this direction, using information produced through existing institutional processes. Ongoing efforts could be reviewed and, as relevant, encouraged and supported by the UN system.

Second, assessing how such national-level accounts of change along particular institutional dimensions (e.g. transparency) can be used to elicit views on progress made on those dimensions at regional and global levels and more generally enable monitoring of SDG 16 beyond the set of internationally agreed indicators, will remain a challenge.

Third, in order to get a better picture of which institutional arrangements can work in different contexts, an effort should be made to map the landscape of meta-reviews of initiatives related to transparency, accountability, participation, anti-corruption and non-discrimination, through systematic combing of the

existing academic and practitioner's literature. Such mappings could usefully inform governments on institutional options that they might contemplate to support the implementation of the SDGs. It would also be important to encourage further reviews and assessments of available evidence in areas that have been less explored, as well as regular updates, since these fields are developing rapidly. In doing this, it would be important to compare lessons that emerge from countries at different levels of development. Presently, this is often not straightforward, as many fields included in the scope of this chapter have witnessed the development of separate scholarly and practitioner's strands of literatures for developed and developing countries, for example for co-management of natural resources, for social accountability, and to a lesser extent for participation.

Fourth, efforts should be made by international organizations and academia to assess developments in other areas of relevance to institutions for sustainable development that are not covered in this report. Examples of areas that would benefit from such investigations include: reviewing developments in the field of private sector accountability, including hybrid governance arrangements that have become commonplace, for example in supply chains; exploring how institutional principles are put into practice in public institutions in different SDG areas; and looking in a holistic way at international rules, norms and institutions that are relevant to the 2030 Agenda.

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