

# Achieving the Sustainable Development Goals Punctually



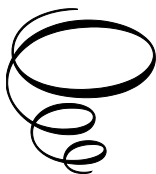
# Achieving the Sustainable Development Goals Punctually:

*An Impossible Remit?*

By

Graeme Baber

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Achieving the Sustainable Development Goals Punctually:  
An Impossible Remit?

By Graeme Baber

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To my Mum for her support, and my Dad for his company,  
in the endeavour to research and write this monograph.



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## PREFACE

In ‘Development, the European Union and the financial crisis: assessing the picture’, *Journal of Financial Crime*, 23(2), 441-464, I create a sustainable development index – Baber’s Sustainable Development Index (BSDI), which I then apply to selected countries including all those in the European Union. One interesting observation there is the unexpectedly low value of the BSDI that the United Kingdom obtained and also that of France. These countries are the backbone of the world – traditional, civilized, prosperous, educated. But, they both only just qualified as developed states. Why? Because they were being neglected by the European Union in large part because the supranational organization had been concentrating on integration and enlargement simultaneously, stretching funds – many of which were destined for the newer Member States. What happened next? The United Kingdom went one way – voting by 51.9% to 48.1% to leave the European Union in June 2016 – a vote that was subsequently endorsed in the General Election of December 2019. France went the other way, voting in the internationalist and centrist candidate Mr. Emmanuel Macron as the President of France in May 2017 and subsequently endorsing Mr. Macron’s new political party *La République En Marche !* as the ruling entity. These changes were reactionary, showing a shifting world order of which sustainable development was an integral part.

So, I decided that the Sustainable Development Goals should be studied – they were enormous, new, ambitious, and, if successful, would change the world. This book is the product of that decision, taken a few years ago. It builds on my earlier books entitled *Essays on International Law* and *The United Nations System: A Synopsis*, which are also published by Cambridge Scholars Publishing. It comprises two microstudies and two macrostudies, which between them cover all seventeen of the Sustainable Development Goals, and it concentrates on whether, and the extent to which, these Goals and their targets will be punctually accomplished.

Graeme Baber,  
September 2020.





# CHAPTER ONE

## THE CONTEXT OF THE SUSTAINABLE DEVELOPMENT GOALS

### **Sustainable Development**

‘Sustainable development’ is “[e]conomic development that is conducted without depletion of natural resources”.<sup>1</sup> Thus, conservation of the *environment* is a necessary element of this process. The World Commission on Environment and Development provides a more detailed definition of the term ‘sustainable development’, as follows.

Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two key concepts: – the concept of ‘needs’, in particular the essential needs of the world’s poor, to which overriding priority should be given; and – the idea of limitations imposed by the state of technology and social organization on the environment’s ability to meet present and future needs.<sup>2</sup>

*Human* needs are essential to sustainable development, as the Commission emphasizes.

[S]ustainable development is a process of change in which the exploitation of resources, the direction of investments, the orientation of technological development; and institutional change are all in harmony and enhance both current and future potential to meet human needs and aspirations.<sup>3</sup>

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<sup>1</sup> “Sustainable development”, Lexico, accessed January 9, 2020, [https://www.lexico.com/definition/sustainable\\_development](https://www.lexico.com/definition/sustainable_development).

<sup>2</sup> World Commission on Environment and Development, Report: Our Common Future (New York, 1987), 41.

<sup>3</sup> World Commission on Environment and Development, Report: Our Common Future (New York, 1987), 43.

One classic model of human needs is that proposed by Dr. Abraham Maslow<sup>4</sup> in 1943, in which he envisaged a five-layer hierarchy as follows.

(1) There are at least five sets of goals, which we may call basic needs. These are briefly physiological, safety, love, [self-]esteem, and self-actualization. In addition, we are motivated by the desire to achieve or maintain the various conditions upon which these basic satisfactions rest and by certain more intellectual desires. (2) These basic goals are related to each other, being arranged in a hierarchy of prepotency. This means that the most prepotent goal will monopolize consciousness and will tend of itself to organize the recruitment of the various capacities of the organism. The less prepotent needs are minimized, even forgotten or denied. But when a need is fairly well satisfied, the next prepotent ('higher') need emerges, in turn to dominate the conscious life and to serve as the center of organization of behavior, since gratified needs are not active motivators.<sup>5</sup>

On the assumption that Maslow's hierarchy of needs is acceptable as a simple working model of human needs, it is submitted that the physiological and safety needs correspond to *economic* aspect of sustainable development, and that the need for love and for esteem correlate with the *social* dimension of sustainable development.<sup>6</sup> As stated above,<sup>7</sup> conservation of the *environment* – i.e., the third element of sustainable development – is a necessary part of the concept of sustainable development. Thus, the three-dimensional model of sustainable development – upon which the SDGs are based, fits with the definition of that term.

Furthermore, not only is sustainable development considered to comprise economic, social and environmental dimensions, but these aspects are integrated into the whole. As Dr. Rachel Emas<sup>8</sup> illustrates, it is

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<sup>4</sup> Dr. Maslow was Professor of Psychology at Brandeis University from 1951 until 1969 ("Abraham Maslow: American Psychologist", Encyclopaedia Britannica, accessed January 10, 2020, <https://www.britannica.com/biography/Abraham-H-Maslow>).

<sup>5</sup> Abraham Maslow, "A Theory of Human Motivation", *Psychological Review*, 1943, 50(4), 370-396, 394-395.

<sup>6</sup> The three dimensions of sustainable development, i.e., economic development, social development and environmental protection, are considered in relation to the SDGs at pages 66-74 of Graeme Baber, *The United Nations System: A Synopsis* (Newcastle-upon-Tyne: Cambridge Scholars Publishing, 2019).

<sup>7</sup> This reference is to the second sentence of the first paragraph of this section, i.e., that entitled 'Sustainable Development'.

<sup>8</sup> Dr. Emas is an Assistant Teaching Professor at Rutgers University ("Rachel Emas, PhD", Rutgers School of Public Affairs and Administration, accessed January 11, 2020, <https://spaa.newark.rutgers.edu/about>).

that blending which drives the process of sustainable development from a worse state to a better condition.

The key principle of sustainable development underlying all others is the integration of environmental, social, and economic concerns into all aspects of decision making. ... It is this deeply fixed concept of integration that distinguishes sustainability from other forms of policy. ... [S]ustainable development requires the integration of economic, environmental, and social objectives across sectors, territories, and generations. [E]nvironmental, social, and economic concerns must be integrated throughout decision making processes in order to move towards development that is truly sustainable.<sup>9</sup>

## The Launch of the Sustainable Development Goals

### From inception to Rio+20

The idea for the SDGs was that of Ms. Paula Caballero<sup>10</sup> in January 2011, when stating in a brainstorming meeting with colleagues from the Government of Colombia which she had convoked, that Colombia “propose a new set of goals [i.e., other than the MDGs] that would encompass the many dimensions of development”.<sup>11</sup> Having promptly gained the backing of Dr. Patti Londoño,<sup>12</sup> who was then Vice Minister of Foreign Affairs in the Government of Colombia,<sup>13</sup> Ms. Caballero, together with Dr. Londoño and other supportive ministers/officials from Colombia and those from other countries, publicised the draft SDGs at international

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<sup>9</sup> Rachel Emas, “The Concept of Sustainable Development: Definition and Defining Principles”, *Brief for Global Sustainable Development Report 2015*, 1-3, 3.

<sup>10</sup> Ms. Caballero is Managing Director, Lands for Life, at Rare (“We are Rare”, Rare, accessed January 13, 2020, <https://rare.org/we-are-rare/>).

<sup>11</sup> Paula Caballero, *A Short History of the SDGS*, available at <https://web.archive.org/web/20171118221940/http://deliver2030.org/wp%2Dcontent/uploads/2016/04/A%2Dshort%2Dhistory%2Dof%2Dthe%2DSDGs%2DPaula%2DCaballero.pdf>, accessed January 13, 2020, 1. *The United Nations System: A Synopsis* contains a fuller version of Ms. Caballero’s recollections of the initiation of the SDGs, at page 61 therein.

<sup>12</sup> Dr. Londoño is Senior Policy Adviser at Cepei (“Patti Londoño”, Cepei, accessed January 13, 2020, [http://cepei.org/unds\\_staff/patti-londono-2/](http://cepei.org/unds_staff/patti-londono-2/)).

<sup>13</sup> Paula Caballero, *A Short History of the SDGS*, available at <https://web.archive.org/web/20171118221940/http://deliver2030.org/wp%2Dcontent/uploads/2016/04/A%2Dshort%2Dhistory%2Dof%2Dthe%2DSDGs%2DPaula%2DCaballero.pdf>, accessed January 13, 2020, 1.

meetings.<sup>14</sup> The participants at Rio+20<sup>15</sup> approved the Goals in principle, requiring the refinement of these SDGs through the establishment of an open working group – which would later submit a proposal for SDGs to the General Assembly of the UN for its consideration.<sup>16</sup> The outcome document from Rio+20<sup>17</sup> states the following.

... The goals [for sustainable development] should address and incorporate in a balanced way all three dimensions of sustainable development [i.e., economic, social and environmental] and their interlinkages. They should be coherent with and integrated into the United Nations development agenda beyond 2015, thus contributing to the achievement of sustainable development and serving as a driver for implementation and mainstreaming of sustainable development in the United Nations system as a whole. ...<sup>18</sup>

### **From Rio+20 to the UN Sustainable Development Summit**

On 27<sup>th</sup> July 2012, the General Assembly of the UN endorsed the outcome document from Rio+20.<sup>19</sup> The General Assembly founded the Open Working Group on Sustainable Development Goals,<sup>20</sup> which comprised 30 representatives from 70 states – 24 of those 30 places being shared between two, three or four countries.<sup>21</sup> At its first session, which was

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<sup>14</sup> Baber, *The United Nations System: A Synopsis*, 62.

<sup>15</sup> Rio+20 took place from 20<sup>th</sup> to 22<sup>nd</sup> June 2012 (United Nations, Resolution 66/288 adopted by the General Assembly on 27 July 2012, Annex, para.1).

<sup>16</sup> Baber, *The United Nations System: A Synopsis*, 62-63.

<sup>17</sup> The outcome document from Rio+20 is titled ‘The future we want’ (United Nations, Resolution 66/288 adopted by the General Assembly on 27 July 2012, art.2).

<sup>18</sup> Resolution 66/288 adopted by the General Assembly on 27 July 2012, Annex, para.246.

<sup>19</sup> Resolution 66/288 adopted by the General Assembly on 27 July 2012, art.2.

<sup>20</sup> United Nations, Decision 67/555 of the General Assembly dated 22 January 2013, art.(a).

<sup>21</sup> The 30 places on the Open Working Group on Sustainable Development Goals were allotted/shared as follows: 1 Algeria-Egypt-Morocco-Tunisia, 2 Ghana, 3 Benin, 4 Kenya, 5 Tanzania, 6 the Republic of the Congo, 7 Zambia-Zimbabwe, 8 Nauru-Palau-Papua New Guinea 10 India-Pakistan-Sri Lanka 11 China-Indonesia-Kazakhstan 12 Cyprus-Singapore-the United Arab Emirates 13 Bangladesh-the Republic of Korea-Saudi Arabia 14 Iran-Japan-Nepal 15 Colombia-Guatemala 16 the Bahamas-Barbados 17 Guyana-Haiti-Trinidad and Tobago 18 Mexico-Peru 19 Brazil-Nicaragua 20 Argentina-Bolivia-Ecuador 21 Australia-the Netherlands-the UK 22 Canada-Israel-the USA 23 Denmark-Ireland-Norway 24 France-Germany-Switzerland 25 Italy-Spain-Turkey 26 Hungary 27 Belarus-Serbia 28 Bulgaria-

convened on 14<sup>th</sup> and 15<sup>th</sup> March 2013,<sup>22</sup> the Open Working Group on Sustainable Development Goals appointed Messrs. Macharia Kamau<sup>23</sup> and Csaba Kőrösi<sup>24</sup> as its co-chairs – these gentlemen then being the Permanent Representative of Kenya to the UN and the Permanent Representative of Hungary to the UN, respectively.<sup>25</sup> Whilst this meeting included general and interactive discussions on the SDGs,<sup>26</sup> the second to eighth sessions were each dedicated to pre-specified topics and the ninth to thirteenth sessions were devoted to developing a proposal on SDGs –

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Croatia 29 Montenegro-Slovenia 30 Poland-Romania (Decision 67/555 of the General Assembly dated 22 January 2013, Annex). Whilst the Annex to Decision 67/255 of the General Assembly names the state at number 6 as “Congo”, an inquiry to the UN over which of the two countries named ‘The Congo’ was that selected to be a Member of the Open Working Group on Sustainable Development Goals yielded the reply that, in the UN’s diplomatic language, ‘Congo’ refers to the Republic of the Congo and ‘DRC’ refers to the Democratic Republic of the Congo (“Open Working Group on Sustainable Development Goals (reference #203333)”, United Nations Sustainable Development Knowledge Platform, accessed January 15, 2020,

<https://sustainabledevelopment.un.org/account.php?page=view&n=751&type=12&msg=203333&menu=1457>). Consequently, number 6 on the list above in this note is deemed to equate to the Republic of the Congo.

<sup>22</sup> “First session of the Open Working Group on Sustainable Development Goals”, United Nations Sustainable Development Knowledge Platform, accessed January 14, 2020, <https://sustainabledevelopment.un.org/owg1.html>.

<sup>23</sup> Mr. Kamau is Principal Secretary in the Ministry of Foreign Affairs in the Government of Kenya (“Ambassador Kamau Macharia”, Ministry of Foreign Affairs in the Government of Kenya, accessed January 14, 2020, [http://www.mfa.go.ke/?page\\_id=2224](http://www.mfa.go.ke/?page_id=2224)).

<sup>24</sup> Mr. Kőrösi is Director of Environmental Sustainability at the Office of the President of the Republic of Hungary (“Csaba Kőrösi”, Vienna Energy Forum, accessed January 14, 2020, <https://www.viennaenergyforum.org/content/csaba-k%C5%91r%C3%B6si>).

<sup>25</sup> “Open Working Group on Sustainable Development Goals”, United Nations Sustainable Development Knowledge Platform, accessed January 14, 2020, <https://sustainabledevelopment.un.org/owg.html>. Kenya and Hungary each had an exclusive place on the Open Working Group on Sustainable Development Goals (i.e., numbers 4 and 26, respectively, in the list in note 21).

<sup>26</sup> United Nations, Sixty-eighth session of the General Assembly: Agenda items 14, 19(a) and 118, A/68/970, 12 August 2014 – Report of the Open Working Group of the General Assembly on Sustainable Development Goals (New York, 2014), III.F.9, 4.

which would constitute most of its final report.<sup>27</sup> The programme for the second to eighth sessions were as follows.

**Table 1.1: The topics considered at the second to eighth sessions of the Open Working Group on Sustainable Development Goals<sup>28</sup>**

Session of Open Working Group	Dates on which the session was held	Topics considered
Second	17 <sup>th</sup> to 19 <sup>th</sup> April 2013	(i) Conceptualizing the SDGs (ii) The eradication of poverty (iii) Universality (iv) Key lessons from the MDGs (v) Alternative measures of poverty
Third	22 <sup>nd</sup> to 24 <sup>th</sup> May 2013	(i) Food security and nutrition (ii) Sustainable agriculture (iii) Desertification (iv) Land degradation and drought (v) Water and sanitation

<sup>27</sup> Report of the Open Working Group of the General Assembly on Sustainable Development Goals, III.F.11, 5; “Open Working Group on Sustainable Development”, United Nations Sustainable Development 2015, accessed January 15, 2020, <https://www.sustainabledevelopment2015.org/index.php/intergovernmental-processes/sustainable-development-goals/open-working-group/>. The ninth to thirteenth sessions of the Open Working Group on Sustainable Development Goals were held from 3<sup>rd</sup> to 7<sup>th</sup> March, 31<sup>st</sup> March to 7<sup>th</sup> April, 5<sup>th</sup> to 9<sup>th</sup> May, 2<sup>nd</sup> to 6<sup>th</sup> June, and 14<sup>th</sup> to 18<sup>th</sup> July, respectively, of 2014; the Open Working Group’s final report was finished in July 2014 (“Open Working Group on Sustainable Development”, United Nations Sustainable Development 2015, accessed January 16, 2020, <https://www.sustainabledevelopment2015.org/index.php/intergovernmental-processes/sustainable-development-goals/open-working-group/>).

<sup>28</sup> Report of the Open Working Group of the General Assembly on Sustainable Development Goals, III.F.10, 4-5; “Open Working Group on Sustainable Development”, United Nations Sustainable Development 2015, accessed January 16, 2020, <https://www.sustainabledevelopment2015.org/index.php/intergovernmental-processes/sustainable-development-goals/open-working-group/>.

Fourth	17 <sup>th</sup> to 19 <sup>th</sup> June 2013	(i) Employment and decent work for all (ii) Social protection (iii) Youth (iv) Education (v) Culture (vi) Health (vii) Population dynamics
Fifth	25 <sup>th</sup> to 27 <sup>th</sup> November 2013	(i) Sustainable and inclusive economic growth (ii) Macroeconomic policy questions (iii) Infrastructure development and industrialization
Sixth	9 <sup>th</sup> to 13 <sup>th</sup> December 2013	(i) Means of implementation (ii) Global partnership for accomplishing sustainable development (iii) Needs of countries in special situations – African states, LDCs, LLDCs, SIDS, and specific challenges that the middle-income countries face (iv) Human rights (v) The right to development (vi) Global governance
Seventh	6 <sup>th</sup> to 10 <sup>th</sup> January 2014	(i) Sustainable cities and human settlements (ii) Sustainable transport (iii) Sustainable energy (iv) Sustainable consumption and production (v) Climate change and disaster risk reduction
Eighth	3 <sup>rd</sup> to 7 <sup>th</sup> February 2014	(i) Oceans and seas (ii) Forests (iii) Biodiversity (iv) Promoting equality, including social equity, gender equality, and women's empowerment (v) The prevention of conflict (vi) Peace and security – peacebuilding after conflict and the promotion of durable peace (vii) The rule of law and governance

At the second meeting of the thirteenth session of the Open Working Group on Sustainable Development Goals – on 19<sup>th</sup> July 2014<sup>29</sup> – the Open Working Group: (i) discussed a proposal on SDGs,<sup>30</sup> (ii) heard statements – including both reservations and positional explanations from many states,<sup>31</sup> and (iii) pursuant to Paragraph 248 of ‘The Future We Want’<sup>32</sup> – i.e., the outcome document from Rio+20,<sup>33</sup> agreed to submit this plan to the General Assembly at its sixty-eighth session for consideration and suitable action.<sup>34</sup> The 17 SDGs that the Open Working Group’s proposal for Sustainable Development Goals contains are the same as those which the General Assembly later adopted on 25<sup>th</sup> September 2015 in Resolution 70/1,<sup>35</sup> and are as follows.

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<sup>29</sup> The thirteenth session of the Open Working Group on Sustainable Development took place from 14<sup>th</sup> to 18<sup>th</sup> July 2014 (note 27). The documents associated with this session include one entitled ‘Final Compilation of Amendments to Goals and Targets By Major Groups and other stakeholders including citizen’s responses to MY World 6 priorities’, which is available at <https://sustainabledevelopment.un.org/content/documents/4438mgscollectionowg13.pdf> (accessed January 17, 2020), another titled ‘Introduction and Proposed Goals and Targets on Sustainable Development for the Post2015 Development Agenda, which is available at <https://sustainabledevelopment.un.org/content/documents/4523zerodraft.pdf> (accessed January 17, 2020), and the main outcome document – labelled ‘Introduction to the Proposal of the Open Working Group for Sustainable Development Goals’ and dated ‘Sat 19 July 1:20 pm’ – in which both the preliminary paragraphs and the targets of the SDGs differ slightly from those of the final report (which is entitled ‘Open Working Group proposal for Sustainable Development Goals’ and which is contained in the General Assembly’s document A/68/970 (note 26) as item IV on pages 6-24 of that paper under the heading ‘Proposal of the Open Working Group on sustainable development goals’); the SDGs are identical in both these latter documents.

<sup>30</sup> Report of the Open Working Group of the General Assembly on Sustainable Development Goals, III.G.12, 5.

<sup>31</sup> Report of the Open Working Group of the General Assembly on Sustainable Development Goals, III.G.13, 5-6.

<sup>32</sup> This Paragraph is contained in the Annex to Resolution 66/288 adopted by the General Assembly on 27 July 2012, and is quoted in its entirety at pages 62-63 of Baber, *The United Nations System: A Synopsis*.

<sup>33</sup> Note 17.

<sup>34</sup> Report of the Open Working Group of the General Assembly on Sustainable Development Goals, III.G.14, 6.

<sup>35</sup> The *presentation* of these two sources of the 17 SDGs differs – in particular, the former refers to the ‘global partnership for sustainable development’ in SDG 17 whilst the latter mentions the ‘Global Partnership for Sustainable Development’.



- Goal 1[:] End poverty in all its forms everywhere  
Goal 2[:] End hunger, achieve food security and improved nutrition and promote sustainable agriculture  
Goal 3[:] Ensure healthy lives and promote well-being for all at all ages  
Goal 4[:] Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all  
Goal 5[:] Achieve gender equality and empower all women and girls  
Goal 6[:] Ensure availability and sustainable management of water and sanitation for all  
Goal 7[:] Ensure access to affordable, reliable, sustainable and modern energy for all  
Goal 8[:] Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all  
Goal 9[:] Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation  
Goal 10[:] Reduce inequality within and among countries  
Goal 11[:] Make cities and human settlements inclusive, safe, resilient and sustainable  
Goal 12[:] Ensure sustainable consumption and production patterns  
Goal 13[:] Take urgent action to combat climate change and its impacts  
Goal 14[:] Conserve and sustainably use the oceans, seas and marine resources for sustainable development  
Goal 15[:] Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss  
Goal 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  
Goal 17[:] Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development<sup>36</sup>

These SDGs are accompanied by 169 targets, which the General Assembly also adopted on 25<sup>th</sup> September 2015.<sup>37</sup> Prior to the UN Sustainable

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Notwithstanding this, the *content* of each and every SDG is identical in the two documents.

<sup>36</sup> United Nations, Open Working Group Proposal for Sustainable Development Goals (New York, 2014), 6; United Nations, Resolution 70/1 adopted by the General Assembly on 25 September 2015, Transforming our world: the 2030 Agenda for Sustainable Development, 14.

<sup>37</sup> Resolution 70/1 adopted by the General Assembly on 25 September 2015, Transforming our world: the 2030 Agenda for Sustainable Development, 1.

Development Summit in September 2015<sup>38</sup> – of which ‘Transforming our world: the 2030 Agenda for Sustainable Development’ – which the General Assembly adopted in Resolution 70/1 – is the outcome document,<sup>39</sup> the UN held its Third International Conference on Financing for Development in Addis Ababa from 13<sup>th</sup> to 16<sup>th</sup> July 2015.<sup>40</sup> The main outcome paper from the latter symposium is the Addis Ababa Action Agenda,<sup>41</sup> which the General Assembly endorsed in its Resolution dated 27<sup>th</sup> July 2015.<sup>42</sup>

*Addis Ababa Action Agenda:* The Agenda declares the goal of the Heads of Government and High Representatives to be “to end poverty and hunger and to achieve sustainable development in its three dimensions [i.e., economic, social and environmental<sup>43</sup>] through inclusive economic growth, protecting the environment and promoting social inclusion”.<sup>44</sup> Whilst “each country has primary responsibility for its own economic and social development ..., national development efforts need to be supported by an enabling international economic environment”.<sup>45</sup> The “global partnership for sustainable development, led by Governments ... should reflect the fact that the post-2015 development agenda, including the sustainable development goals, is global in nature and universally

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<sup>38</sup> The UN Sustainable Development Summit was held at the Headquarters of the UN in New York from 25<sup>th</sup> to 27<sup>th</sup> September 2015 (“Sustainable Development Goals”, United Nations, accessed January 27, 2020, <https://www.un.org/sustainabledevelopment/summit/>).

<sup>39</sup> Resolution 70/1 adopted by the General Assembly on 25 September 2015, 1.

<sup>40</sup> “Third International Conference: Financing for Development”, United Nations, accessed January 27, 2020, <https://www.un.org/esa/ffd/ffd3/index.html>.

<sup>41</sup> Two other documents relating to the Third International Conference on Financing for Development are one entitled ‘Declaration from the Addis Ababa Civil Society Forum on Financing for Development’ and dated 12<sup>th</sup> July 2015 – which is available at <https://csoforffd.files.wordpress.com/2015/07/addis-ababa-cso-ffd-forum-declaration-12-july-2015.pdf> (accessed January 27, 2020), and another titled ‘International Business Forum: Third International Conference on Financing for Development’ and dated 14<sup>th</sup> July 2015 – which is available at <https://www.un.org/esa/ffd/ffd3/wp-content/uploads/sites/2/2015/04/Business-Forum-Summary.pdf> (accessed January 27, 2020).

<sup>42</sup> United Nations, Resolution 69/313 adopted by the General Assembly on 27 July 2015, art.1.

<sup>43</sup> The section above entitled ‘Sustainable Development’ establishes and contextualizes these three dimensions of sustainable development.

<sup>44</sup> Resolution 69/313 adopted by the General Assembly on 27 July 2015, Annex, para.1.

<sup>45</sup> Resolution 69/313 adopted by the General Assembly on 27 July 2015, Annex, para.9.

applicable to all countries whilst taking into account different national realities, capacities, needs and levels of development and respecting national policies and priorities”.<sup>46</sup> The many financial promises of the Heads of Government and High Representatives include those to “encourage both international and domestic development banks to promote finance for micro, small and medium-sized enterprises ... through the creation of credit lines targeting those enterprises, as well as technical assistance”,<sup>47</sup> “work towards developing domestic capital markets, particularly long-term bond and insurance markets where appropriate, including crop insurance on non-distortive terms [and] to strengthen supervision, clearing, settlement and risk management”,<sup>48</sup> and “build capacity to enter into public-private partnerships, including with regard to planning, contract negotiation, management, accounting and budgeting for contingent liabilities”.<sup>49</sup> Although “many countries still fall short of their ODA commitments and ... the fulfilment of all ODA commitments remains crucial[,] ODA providers reaffirm their respective ODA commitments, including the commitment by many developed countries to achieve the target of 0.7 per cent of gross national income for official development assistance (ODA/GNI) and 0.15 to 0.20 per cent of ODA/GNI to least developed countries”.<sup>50</sup> The Heads of Government and High Representatives “recognize that funding from all sources, including public and private, bilateral and multilateral, as well as alternative sources of finance, will need to be stepped up for investments in many areas, including for low-carbon and climate resilient development”.<sup>51</sup> They “will step up [their] efforts to assist countries in accessing financing for peacebuilding and development in the post-conflict context[,] recogniz[ing] the need for aid to be delivered efficiently through simplified mechanisms”.<sup>52</sup> In respect of “innovative sources and

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<sup>46</sup> Resolution 69/313 adopted by the General Assembly on 27 July 2015, Annex, para.10.

<sup>47</sup> Resolution 69/313 adopted by the General Assembly on 27 July 2015, Annex, para.43.

<sup>48</sup> Resolution 69/313 adopted by the General Assembly on 27 July 2015, Annex, para.44.

<sup>49</sup> Resolution 69/313 adopted by the General Assembly on 27 July 2015, Annex, para.48.

<sup>50</sup> Resolution 69/313 adopted by the General Assembly on 27 July 2015, Annex, para.51.

<sup>51</sup> Resolution 69/313 adopted by the General Assembly on 27 July 2015, Annex, para.60.

<sup>52</sup> Resolution 69/313 adopted by the General Assembly on 27 July 2015, Annex, para.67.

mechanisms of additional financing, [the Heads of Government and High Representatives] encourage [(i)] consideration of how existing mechanisms, such as the International Finance Facility for Immunization,<sup>53</sup> might be replicated to address broader development needs[, and (ii)] exploring additional innovative mechanisms based on models combining public and private resources such as green bonds,<sup>54</sup> vaccine bonds,<sup>55</sup> triangular loans<sup>56</sup> and pull mechanisms<sup>57</sup> and carbon pricing mechanisms<sup>58</sup>.<sup>59</sup>

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<sup>53</sup> The IFFIm was established in 2006 in order to raise and expedite the joint effect of government donors and private investors on worldwide health; it provides an example of how its vaccine bonds work, as follows: “[A] sovereign donor pledges US\$ 200 million paid in US\$ 10 million tranches annually over 20 years. Without IFFIm, Gavi [i.e., the Global Alliance for Vaccines and Immunization] would be limited to spending this US\$ 10 million each year and would have to wait 20 years before seeing its full impact. But, backed by these pledges, IFFIm issues its Vaccine Bonds on the international capital markets. Capital market investors buy these bonds for an attractive rate of return, which makes funds immediately available to IFFIm[.] Gavi uses the proceeds of these bond issuances to purchase more vaccines to immunise more children in the world’s poorest countries. In order to ensure investors of its ability to pay back interest and principal, IFFIm only raises bonds against a percentage of their overall pledge. IFFIm uses the remainder as a reserve to make sure that there will always be more than sufficient funds to pay bondholders when the bonds mature. Donors’ annual payments to IFFIm – or proceeds from new bond issues – go toward repayments to bondholders. ... At the end of the donor payment period and after all bonds are redeemed, IFFIm can transfer to Gavi any outstanding reserve ... . (“About IFFIm”, International Finance Facility for Immunisation, accessed January 28, 2020, <https://iffim.org/about-iffim>)”.

<sup>54</sup> A ‘green bond’ is one “specifically earmarked to be used for climate and environmental projects. These bonds are typically asset-linked and backed by the issuer’s balance sheet, and are also referred to as climate bonds” (“Green bond”, Investopedia, accessed January 28, 2020, <https://www.investopedia.com/terms/g/green-bond.asp>).

<sup>55</sup> The IFFIm issues vaccine bonds (note 53).

<sup>56</sup> ‘Triangular’ means “shaped like a triangle; having three sides and three corners[.] involving three people or parties” (Oxford University Press, *The New Oxford Dictionary of English* (Oxford: Oxford University Press, 1998), 1977; emphasis added). Whilst a definition of ‘triangular loan’ was not found, the ECOSOC’s Development Cooperation Forum has provided a definition of ‘triangular cooperation’, as follows: “Triangular cooperation involves three partners that can be described as “enabler”, “provider/contributor” and “associate”. The partners can be a public entity, civil society or academic organization, private enterprise or an international organization. Specific roles played by each partner can be interchangeable in different development cooperation arrangements and initiatives.” (United Nations, ECOSOC Development Cooperation Forum: Promoting Sustainable

*The 2030 Agenda for Sustainable Development*: Ten weeks after its Third International Conference on Financing for Development,<sup>60</sup> the UN held its Sustainable Development Summit.<sup>61</sup> Many world leaders attended this historic event.<sup>62</sup> The Summit endorsed a document entitled ‘Transforming

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Development through Triangular Cooperation, DCF Policy Briefs, September 2017, No. 19 (New York, 2017), 1). Based on this definition, and on the relevant ordinary meaning of the word ‘triangular’ (italicized above), it is submitted that a ‘triangular loan’ would be one involving three parties, possibly a lender, a guarantor and a borrower.

<sup>57</sup> ‘Pull mechanisms’ are “designed to overcome market failures and promote innovation by rewarding successful innovations *ex post*. By providing assured public funding for goods that embody socially beneficial technologies for which private demand is inadequate (for example, vaccines, pharmaceuticals and renewable energy technologies), they aim to turn notional into effective demand, thus allowing investors to capture more fully the social value of their research and investments. ... [One example of a pull mechanism comprises s]tandard prizes, which reward achievements in a technology development contest.” (United Nations, Department of Economic and Social Affairs: World Economic and Social Survey 2012 – In Search of New Development Finance, E/2012/50/Rev.1, ST/ESA/341 (New York, 2012), 60). The phrase ‘*ex post*’ is from modern Latin – from ‘*ex*’ (from) and ‘*post*’ (after); it means “based on actual results rather than forecasts” (*The New Oxford Dictionary of English*, 649).

<sup>58</sup> ‘Carbon pricing’ “captures the external costs of greenhouse gas (GHG) emissions – the costs of emissions that the public pays for, such as damage to crops, health care costs from heat waves and droughts, and loss of property from flooding and sea level rise – and ties them to their sources through a price, usually in the form of a price on the carbon dioxide (CO<sub>2</sub>) emitted. A price on carbon helps [to] shift the burden for the damage from GHG emissions back to those who are responsible for it and who can avoid it. ... Placing an adequate price on GHG emissions is of fundamental relevance to internalize the external cost of climate change in the broadest possible range of economic decision making and in setting economic incentives for clean development. It can help to mobilize the financial investment required to stimulate clean technology and market innovation, fueling new, low-carbon drivers of economic growth.” (“Carbon Pricing Dashboard: What is Carbon Pricing?”, World Bank, accessed January 28, 2020, <https://carbonpricingdashboard.worldbank.org/what-carbon-pricing>).

<sup>59</sup> Resolution 69/313 adopted by the General Assembly on 27 July 2015, Annex, para.69.

<sup>60</sup> The UN’s Third International Conference on Financing for Development was held from 13<sup>th</sup> to 16<sup>th</sup> July 2015 (text to note 40).

<sup>61</sup> The UN’s Sustainable Development Summit was held from 25<sup>th</sup> to 27<sup>th</sup> September 2015 (note 38).

<sup>62</sup> “Sustainable Development Goals”, United Nations, accessed January 29, 2020, <https://www.un.org/sustainabledevelopment/summit/>.

our world: the 2030 Agenda for Sustainable Development’, which was quickly adopted by the General Assembly in Resolution 70/1.<sup>63</sup> In addition to containing the 17 SDGs<sup>64</sup> and their targets,<sup>65</sup> the 2030 Agenda for Sustainable Development contains a Preamble,<sup>66</sup> a Declaration,<sup>67</sup> an introduction to the SDGs and their targets titled ‘Sustainable Development Goals and targets’,<sup>68</sup> a section headed ‘Means of implementation and Global Partnership’,<sup>69</sup> and a section denominated ‘Follow-up and review’.<sup>70</sup> The Preamble re-emphasizes the aim of ending poverty in Paragraph 1 of the Addis Ababa Action Agenda<sup>71</sup> by “recogniz[ing] that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development”.<sup>72</sup> It states, among other things, that the SDGs and their targets “demonstrate the scale and ambition of this new universal [2030] Agenda [for Sustainable Development, and] “are integrated and indivisible and balance the three dimensions of sustainable development: the economic, social and environmental”.<sup>73</sup> The Declaration includes, among other things: (i) a recognition that the elimination of

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<sup>63</sup> Note 39 and accompanying text.

<sup>64</sup> Text to note 35. The text to note 36 lists the SDGs.

<sup>65</sup> Note 37 and accompanying text.

<sup>66</sup> Resolution 70/1 adopted by the General Assembly on 25 September 2015, Transforming our world: the 2030 Agenda for Sustainable Development, 1-2.

<sup>67</sup> The Declaration comprises Paragraphs 1-53 of the 2030 Agenda for Sustainable Development (Resolution 70/1 adopted by the General Assembly on 25 September 2015, Transforming our world: the 2030 Agenda for Sustainable Development, 3-12).

<sup>68</sup> The section entitled ‘Sustainable Development Goals and targets’ contains Paragraphs 54-59 of the 2030 Agenda for Sustainable Development (Resolution 70/1 adopted by the General Assembly on 25 September 2015, Transforming our world: the 2030 Agenda for Sustainable Development, 13).

<sup>69</sup> The section titled ‘Means of implementation and Global Partnership’ consists of Paragraphs 60-71 of the 2030 Agenda for Sustainable Development (Resolution 70/1 adopted by the General Assembly on 25 September 2015, Transforming our world: the 2030 Agenda for Sustainable Development, 28-31).

<sup>70</sup> The section entitled ‘Follow-up and review’ is composed of Paragraphs 72-91 of the 2030 Agenda for Sustainable Development (Resolution 70/1 adopted by the General Assembly on 25 September 2015, Transforming our world: the 2030 Agenda for Sustainable Development, 31-35).

<sup>71</sup> Text to note 44.

<sup>72</sup> Resolution 70/1 adopted by the General Assembly on 25 September 2015, Transforming our world: the 2030 Agenda for Sustainable Development, 1.

<sup>73</sup> Resolution 70/1 adopted by the General Assembly on 25 September 2015, Transforming our world: the 2030 Agenda for Sustainable Development, 1.