

Measuring SDG Target 16.3 with V-Dem Data: The Rule of Law at the National and International Levels, and Equal Access to Justice for All



Photo by Engin Akyurt.

KEY FINDINGS

- As an independent research institute, V-Dem contributes valuable measures for SDG 16, providing data with worldwide coverage and in the period from 1900-2016.
- The currently proposed indicators to measure SDG Target 16.3 are unlikely to measure the rule of law at national and international levels, as well as equal access to justice, comprehensively.
- V-Dem can contribute additional indicators to SDG Target 16.3 that measure access to justice, shedding light on the extent to which men or women can bring cases before courts without risking their personal safety.

As part of a new UN Sustainable Development agenda, 17 Sustainable Development Goals (SDGs), with the overall aim to end poverty, protect the planet and ensure prosperity for all, were adopted in September 2015. Building on the Millennium Development Goals, the SDGs address democratic governance in Goal 16: the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all, and building accountable and inclusive institutions at all levels.¹

All goals, together with their specific targets, should be achieved by 2030. A sound indicator framework and statistical data is crucial to monitor and evaluate progress on the SDGs.² The Varieties of Democracy (V-Dem) Institute is part of the virtual network of stakeholders and experts summoned by the United Nations Statistics Division and the SDG 16 Data Initiative. V-Dem contributes by identifying suitable indicators to measure SDG 16, and the UNDP Virtual Network Sourcebook already contains 60 V-Dem indicators and indices.³

This policy brief focuses on SDG Target 16.3, identifying the main challenges posed by the official indicators and introducing complementary V-Dem indicators to address these challenges.

Preliminary Indicators to Measure SDG Target 16.3

SDG Target 16.3 aims at promoting the rule of law at the national and international levels, and ensuring equal access to justice for all. UNSTATS has currently decided on two indicators to measure this Target:

“16.3.1. Proportion of victims of violence in the previous 12 months who reported their victimization to competent authorities or other officially recognized conflict resolution mechanisms

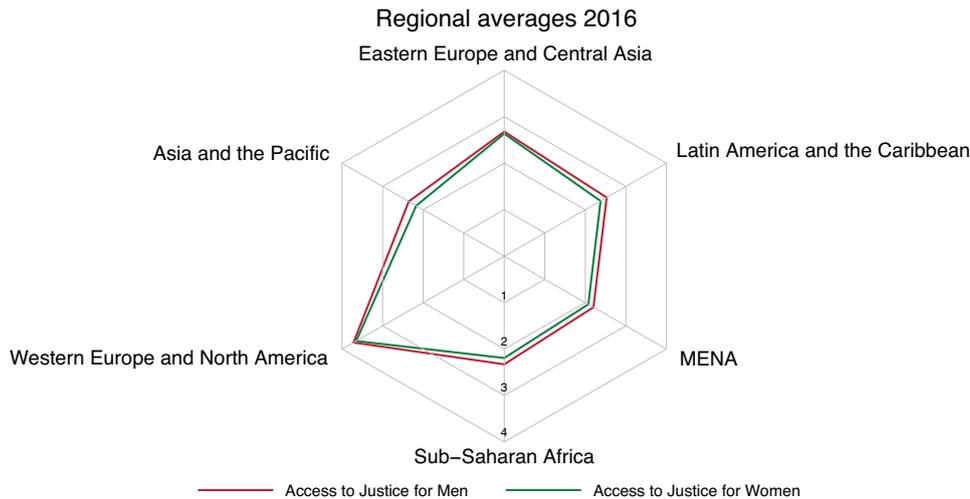
16.3.2. Unsensetenced detainees as a proportion of overall prison population.”⁴

A challenge with indicator 16.3.1 is whether low proportions of reported crime are due to few violent acts in a society in general, or due to a lack of trust in the supposedly competent authorities. Individuals might face objective or subjective difficulties in accessing competent authorities, for example, in the context of reporting domestic violence by female victims. Disaggregating the data by gender is important to provide information on gender disparities.

Victimization surveys collect information on experiences with violent crime and if the victim has reported the case to the authorities. Howev-

¹ UNDP (2017) ² UN (2017) ³ UNDP/BMZ (2015) ⁴ UNSTATS (2016)

FIGURE 1. ACCESS TO JUSTICE FOR MEN AND WOMEN



Center is at 0. Scores increase with higher democratic quality.

er, these victimization surveys do not yet cover all countries in the world, for example; only nine countries in Africa have implemented these surveys to date.⁵

The second indicator measures whether persons awaiting trial are detained in custody and whether the right to be presumed innocent until proven guilty applies. It gives insight into the efficiency of the justice system in a country, and by disaggregating the data by gender, the indicator measures if there are different levels of unsentenced detention for men and women.⁶

However, what the legal or socio-cultural system in one country defines as an act of violence might not be considered as such in another country. Thus, the proportion of victims who report violent acts might differ between countries due to different legal standards, and this would not allow for cross-national comparison. Similarly, regarding indicator 16.3.2, detainment of individuals before trial depends on the severity of the crime, and thus, how severe a national legal system defines the crime to be.

The next section introduces two V-Dem indicators that can complement the measurement of SDG Target 16.3.

V-Dem Indicators for Measuring SDG Target 16.3

V-Dem collects data in 177 countries within the period 1900 to 2016 through expert surveys that make it possible to gather information about sensitive topics, such as access to justice in a country. Due to the V-Dem Methodology, the data can be compared cross-nationally and regionally.⁷

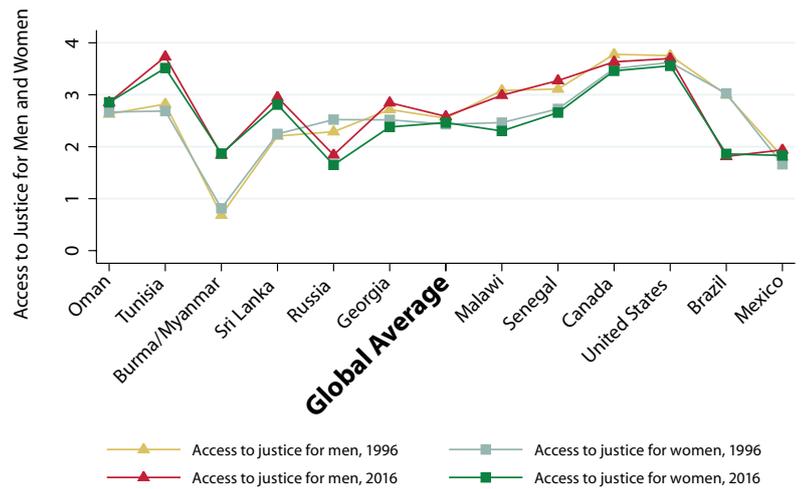
V-Dem provides the two complementary indicators **Access to Justice for Men** and **Access to Justice for Women** to measure SDG Target 16.3. These indicators specify the extent to which men or women can bring cases before the courts without risk to their personal safety. They also incorporate whether trials are fair and if men or women have the effective ability to seek redress if public authorities violate their rights. As emphasized in the previous section, disaggregating the data by gender is important to provide information on gender disparities.

Figure 1 shows the levels of Access to Justice for Men and for Women by regional average in 2016. The lowest scores for both, men and women, are in the MENA, Asia and the Pacific, as well as in Sub-Saharan Africa. The most significant differences in access to justice between men and women are in Asia and the Pacific, while there seem to be almost no gender disparities in Western Europe and North America and in Eastern Europe and Central Asia.

^{5,6} UNSTATS (2017) ⁷ Coppedge et al. (2017)

Figure 2 illustrates the development of Access to Justice for Men and for Women over the last twenty years in twelve selected countries and also the global average. While there is a general trend that access to justice has improved for men and for women, in Russia and Brazil the levels have decreased significantly between 1996 and 2016. The most positive developments happened in Tunisia, Burma/Myanmar and Sri Lanka.

FIGURE 2. ACCESS TO JUSTICE IN SELECTED COUNTRIES



Note: Scores increase with higher democratic quality

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ABOUT V-DEM INSTITUTE

V-Dem is a new approach to conceptualizing and measuring democracy. The project's multidimensional, nuanced and disaggregated approach acknowledges the complexity of the concept of democracy. With four Principal Investigators, two Project Coordinators, fifteen Project Managers, more than thirty Regional Managers, almost 200 Country Coordinators, several Assistant Researchers, and approximately 2,600 Country Experts, the V-Dem project is one of the largest-ever social science data collection projects with a database of over 15 million data points.



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