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Universality and differentiation in the post-2015 development agenda

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Key messages

Translating the universal post-2015 goals and targets into national actions, commitments, responsibilities and accountability that respect national priorities and circumstances is a major challenge – especially as **all national-level actions should add up to the ambitious global objectives to effectively achieve sustainable development**. Universality in the post-2015 agenda may be possible only with an **equitable system of differentiation**.

There is a need for a **pragmatic and flexible differentiation system** that accounts for country priorities and ownership, but builds in incentives to encourage ambitious contributions. Differentiation should not be static but remain **open to change and adaptation over time**. To avoid simplistic categorisations, the system should use equity and effectiveness criteria in a **nuanced way, along a continuum that ensures contributions by all, commensurate with national circumstances, capacities and capabilities**.

In order to ensure universality and build in accountability, comparability and incentives, **common rules or guidelines** that leave some **room for self-determination** could be helpful. In areas where global standards are lacking, national processes of determining target levels, benchmarks and commitments may be valuable, guided by common parameters and guidelines as well as a process of reviewing levels of ambition.

Even though universality means that the agenda will have to be implemented everywhere, little discussion has taken place within the EU on what implementation of the proposed universal OWG targets concretely means. Getting these discussions under way is necessary to make universality in the post-2015 context a reality in the EU.

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The views expressed in this study are those of the authors only, and should not be attributed to another person or institution.

List of Acronyms

AOD	Aerosol Optical Depth
CBDR	Common But Differentiated Responsibilities
CBDR-RC	Common But Differentiated Responsibilities – respective capabilities
COP	Conference of the Parties
DAC	Development Assistance Committee (OECD)
DIE	German Development Institute
EAP	Environment Action Programme
ECDPM	European Centre for Development Policy Management
EITI	Extractive Industries Transparency Initiative
EREP	European Resource Efficiency Platform
ET	Economic Transformation
EU	European Union
FDI	Foreign Direct Investment
G77	The Group of 77 developing countries
GATT	General Agreement on Trade and Tariffs
GDP	Gross Domestic Product
GNI	Gross National Income
GPEDC	Global Partnership on Effective Development Cooperation
ICESDF	Intergovernmental Committee of Experts on Sustainable Development Financing
ILA	International Law Association
IMF	International Monetary Fund
LDCs	Least-Developed Countries
LLDCs	Land-locked Developing Countries
MFN	Most Favoured Nation
MDGs	Millennium Development Goals
MOI	Means of Implementation
ODA	Official Development Assistance
OECD	Organisation for Economic Co-operation and Development
OWG	Open Working Group
PCSD	Policy Coherence for Sustainable Development
RMI	Raw Materials Initiative
SCP	Sustainable Consumption and Production
SDGs	Sustainable Development Goals
SDSN	Sustainable Development Solutions Network
SDT	Special and Differential Treatment
SIDS	Small Island Developing States
SSC	South-South Cooperation
TFA	Trade Facilitation Agreement
TRIPS	Agreement on Trade-Related Aspects of Intellectual Property Rights
TTIP	Transatlantic Trade and Investment Partnership
UN	United Nations
UNCTAD	UN Conference on Trade and Development
UNFCCC	UN Framework Convention on Climate Change
UNGA	United Nations General Assembly
UN SG	UN Secretary General
WTO	World Trade Organization

Executive Summary

The complexity and interconnectedness of today's globalised world have rendered development challenges increasingly interlinked and global in nature. *"Levels of want, fear, discrimination, exploitation, injustice and environmental folly"* are universally felt and have implications around the globe (UN 2014a, p.4). At the same time, prosperity cannot be sustained without finding integrated and common solutions and without all countries contributing in a spirit of solidarity and shared responsibility. The post-2015 agenda has framed **sustainable development as a universal project**. On the one hand, it includes issues that are of common concern to all and pose challenges at the national level, on the other hand, it defines objectives to be achieved at the global level.

Universality cannot be separated from the contrastive principle of differentiation, as responsibilities and accountability will have to differ depending on the circumstances of each country, their respective development statuses and the means available to them. The United Nations Open Working Group (OWG) on Sustainable Development Goals (SDGs) notes that the new framework will put forward global aspirational targets and that each government will set its own national targets based on individual country circumstances, yet guided by the global level of ambition. Translating the universal post-2015 goals and targets into national actions, commitments, responsibilities and accountability that respect national priorities and circumstances is a considerable challenge – especially as **all national-level actions are envisaged to add up to the ambitious global objectives to effectively achieve sustainable development**. Nonetheless, universality in the post-2015 agenda may be possible only with an **equitable system of differentiation** in place.

Lessons on differentiation in other international agreements

Approaches to operationalising differentiation, such as the WTO's provision for Special and Differential Treatment (SDT) and the UNFCCC's Common but Differentiated Responsibilities (CBDR), as well as attempts to define nationally-relevant indicators for common Peacebuilding and Statebuilding Goals by g7+ countries in the New Deal process, provide some lessons on how differentiation could be realised. SDT in the WTO context has provided for differentiation in the extent of commitments, in exemptions from commitments and in provision of assistance – at times linked to adoption of responsibilities and commitments on the receiver's part. CBDR, which has become part of the post-2015 discussions, initially distinguished between "Annex I" and "non-Annex I" countries, though this is gradually being replaced by a more refined division based on the pillars of historical responsibility, capacities and capabilities as well as other circumstances. The New Deal provides lessons on the political nature of the choice of indicators used for international comparisons.

These approaches reveal some common challenges and suggest **four key lessons for the post-2015 process**:

1. There is a need for a **pragmatic and flexible system of differentiation** that accounts for country priorities and ownership, but can build in incentives to encourage ambitious contributions from all. To be effective, a new system would need to leave aside some of the stronger and more ideological connotations of past discussions on differentiation. Yet, fairness criteria – incorporating capacity and capabilities, historic, current and shared responsibilities and national circumstances – and effectiveness will also play a role.
2. Differentiation should not be static but remain **open to change and adaptation over time**. There needs to be room for countries to take on different commitments and responsibilities when their situation and context changes. A system of differentiation should permit some degree of flexibility and dynamism to account for progress as well as potential set-backs. This will require provisions allowing for shifts in responsibilities and commitments and a review of the differentiation of targets.

This is also linked to the proposed post-2015 follow up, monitoring and review system currently under discussion.¹

3. In order to avoid simplistic categorisations, a differentiation system should use adequate equity and effectiveness criteria in a **nuanced way along a continuum that ensures contributions by all, though commensurate with their national circumstances, capacities and capabilities**. There is a trend towards introducing more refinement in the treatment of different groups of countries, so as to eliminate categorisations such as developed versus developing in a world that is much more diverse and fluid. The criteria to be used should therefore ideally not divide the world into crude blocks of, for instance, “North-South” but rather seek to differentiate along a spectrum. For that a mix of criteria will be important (including e.g. capabilities and needs criteria), which may differ according to the issue area. Ideally, a differentiation system would produce a clear matrix of responsibilities, tasks and commitments for each government. Finding a continuum along which all share responsibilities and that allows for flexibility may help break up simple North-South divides.
4. In order to ensure universality and build in accountability, comparability and incentives, **common rules or guidelines** that leave some **room for self-determination** could be helpful. Within the post-2015 agenda, in areas where global standards are lacking, national processes of determining target levels, benchmarks and commitments may be valuable, guided by common parameters and guidelines as well as a process of reviewing levels of ambition.

Entry points for factoring differentiation into the universal post-2015 agenda

The post-2015 agenda will need to differentiate between countries in the level of ambition (benchmarks) that governments set for themselves for domestic development outcomes, in the responsibilities that countries bear for assisting others in achieving an ambitious set of targets, and in the responsibilities countries bear for supporting progress towards global common goods. These areas of functional differentiation can be captured in three “types” of targets, referred to in this paper as type I, type II and type III targets:

- I. **Domestic development outcomes.** Governments assume responsibility for improving the situation of their own citizens (e.g., nationally-relevant poverty and/or inequality-reduction targets).
- II. **Responsibilities for assisting other countries.** Countries bear an appropriate burden in helping others to achieve their national development outcomes and SDG targets (e.g., by providing financial assistance and taking part in broader international cooperation to benefit one or a specific group of countries).
- III. **Responsibilities for supporting progress towards global common goods.** Governments play a role in international efforts to safeguard common goods (e.g., making commitments in international fora for the benefit of the planet and global community as a whole, such as CO2 emission reductions).

Differentiation for national development

The UN Secretary General’s synthesis report suggests that there will be a set of core targets that will be applied in a similar way to all to achieve global comparability, while other targets may be open for more flexible adaptation, as they require more context-specificity. There are a number of entry points for how differentiation could take place at the level of both targets and indicators. These include introducing **differences in levels of ambition** of targets and benchmarks; **differences in the priority or emphasis** a target may receive in a specific context (especially relevant for targets linked to geographic location); potential **differences in timeframes and schedules** as well as flexibility and **choice among indicators**.

To ensure coherence in setting benchmarks for national development objectives it has been proposed that “starting points”, rates of historical progress or the highest level of progress achieved in a group of

¹ For example see the proposals for a review system by the UN Secretary General Synthesis Report.

countries with similar starting points can be used to calculate comparable and ambitious levels of ambition. This could be a sensible point of departure, as long as aspects of capacity, institutional capabilities and resources can be taken into account, as well as further individual considerations.

As the number of goals is unlikely to be reduced, there is legitimate concern that the ambition and universality of the framework will become **unworkable for some countries**. Prioritisation of targets, gradually improving ambition and flexible time schedules may be a way to enable some weaker developing countries to participate. However, a situation where countries are free to pick-and-choose their favourite targets should be avoided. Such **flexibility** could thus be framed as a possible exception and be limited to countries that face particular challenges and lack capacity to work towards all targets simultaneously. Allowing for **prioritisation** would also be relevant for targets that have a particular geographic relevance, such as those aiming to conserve a particular type of ecosystem.

Differentiation at the level of indicators will be necessary in interpreting some of the targets that are not quantified at the global level and where indicator selection could pin down the relevant aspects in a particular context. Similar ideas are circulating about having a set of “core indicators” per target. While the issue of indicators will require significant technical input, the **political challenge** here may nonetheless predominate. Countries may feel unready to be compared to others according to global indicators that they moreover may view as irrelevant to reaching the target within their specific context. In any given context, multiple indicators may provide a more complete picture of whether progress towards a target is being made or not. A way forward could be to provide a **basket of technically-strong indicators** for each of the post-2015 targets from which countries could choose according to context, while also leaving the **option of complementing these with purely national indicators**.

Differentiation of global responsibilities

Differentiation concerning responsibilities to assist others and to adopt global commitments for common goods (spanning a whole spectrum of means of implementation) may be one of the most contentious issues to agree upon in 2015. The notion of “shared responsibility” will test solidarity between countries and the willingness for collective action. Universality requires all to contribute. The challenge of differentiation in responsibilities lies in determining, which countries should provide additional support to others, which should receive additional assistance, and how to differentiate the magnitude and type of contributions towards common goods that countries should commit to.

Differentiation of responsibilities may entail finding flexible sets of country groupings for different issue areas and applying different equity criteria. These should be sufficiently discriminating to reflect current realities, yet firm enough to establish ambitious commitments. The **capacity** and **capabilities** of countries matter for the differentiation of such responsibilities. These may go beyond income-based criteria but take into account aspects such as inequality and the amount of people living in poverty. Depending on the issue area, allocation of responsibilities may include considerations of **historic and current responsibility**, **capabilities** and space and **right to development**.

More thought will have to go into reflections on criteria of fairness and effectiveness to inform allocation of financial assistance resources. An obvious starting point is to allocate financial assistance according to where the need is greatest – either because of lack of own resources or due to the magnitude of the challenges or absence of capacity to raise own domestic resources. Effectiveness considerations to be brought into play include where financial assistance could make the biggest difference and where other types of finance, such as foreign direct investment (FDI), remittances or other private sources may be lacking. It must also be acknowledged that effectiveness of resources spent is dependent on the policies and practices that accompany and shape the environment in which the resources are used.

The way forward: National target-setting, flexibility, monitoring and review

As the framework will be voluntary, without any binding or legal commitment, ambitious aims could be stimulated with an agreed set of guidelines and **common parameters for national target-setting** as well as with **voluntary reviews of the targets chosen**. The guidelines could incorporate options and criteria for how, and on what basis, baselines and benchmarks could be set nationally. With inputs from relevant international organisations and the UN statistics division, these baselines and benchmarks could provide invaluable tools for countries to use in setting and prioritising their national-level targets.

As they progress, the post-2015 discussions should provide clarity on a number of issues with a bearing on universality and differentiation:

- a) **The issue of “core” targets and “core” indicators.** For certain targets, will baselines and minimum standards be set at the global level that apply universally without any further national differentiation? If so, for what targets will this be done? As for indicators, will a basket of technically-sound indicators be developed from which countries might choose, or will indicators be chosen solely at the national level?
- b) **Approach to the core targets and indicators.** Some targets will be relevant mainly to a subset of countries (e.g., due to their geographical location), and on some indicators and targets – and for some countries – added flexibility may be an option, such as in prioritisation and timeframes. How will these be approached?
- c) **Means of Implementation (MOIs):** MOIs will be discussed at the upcoming Third International Conference on Financing for Development in July 2015, and climate-change responsibilities and commitments will be addressed at the UNFCCC’s COP21 in December. Both these processes will also set the parameters for how differentiation is dealt with in the post-2015 framework.

A process of national target-setting to start implementation of the post-2015 framework might include the following three elements:

- **National target-setting.** This would include choices of indicators, possible prioritisations and assessments of the data and resources available. Ideally processes would provide for transparency, whole-of-government approaches and inclusiveness of a variety of national stakeholders. As a result, each government would publish national (and local) targets and chosen indicators, also reporting on the criteria the decisions were based upon and justifications for the level of ambition (for those targets with allowance for flexibility).
- **Target check and review.** The voluntary review and discussion of targets could bring together stakeholders from national, regional and perhaps also the global level. This could take place either at the regional level or in groups of “peers” with similar starting points or reform circumstances with respect to the targets set. If needed, a technical advice process could be undertaken involving relevant UN organisations. This should provide for mutual learning, stimulate engagement and allow scope for ambitions to be expanded or reduced. For targets related to global commitments and responsibilities to provide resources or engage in reforms, global discussions may be more influential, depending on the forum in which these are discussed.
- **Follow-up and links to post-2015 monitoring and accountability framework.** The chosen target levels and indicators should be reported to a coordination point – likely in the UN structure – that will interpret them, and link them to the monitoring and accountability framework. National-level targets should not be set in stone, and the accountability and review framework will need to include provisions allowing for shifts in responsibilities and commitments as countries’ circumstances change.

Resolving the challenge of universality and differentiation in the post-2015 context will be a key issue in the coming months. In the pursuit of an adequate differentiation framework, a fundamental task for states will be to seek to understand each other's principles of fairness, to engage and to find compromises. The new element of universality in the development agenda requires a shift of mind-set by *everyone*. To contribute constructively to these discussions it is therefore also valuable for each country to explore what universality implies at home.

Implementation of SDG targets within the EU: poverty reduction, sustainable resource management and promoting peaceful societies

Even though universality means that the agenda will have to be implemented everywhere, little discussion has taken place within the European Union (EU) on what implementation of the proposed universal OWG targets concretely means. The annex of this paper thus offers three cases that, by way of illustration, address what universality and differentiation could mean in Europe with regards to the proposed targets on poverty reduction, peaceful societies and economic transformation. Getting these discussions under way is necessary to make universality a reality in the EU in the post-2015 context.

Case 1 - 'By 2030 reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions' (OWG 1.2)

OWG target 1.2 has implications for efforts to reduce poverty within the EU as well as for EU responsibilities to contribute to global poverty reduction.

Europe 2020 – the EU's strategy for smart, sustainable and inclusive growth – contains a headline political target to lift 20 million people out of the risk of poverty and social exclusion in order to achieve a situation in which people at the risk of poverty and social exclusion are reduced to the level of 96.4 million by 2020.² EU member states are free to translate the EU political target in own national targets, on the basis of their different country contexts and priorities, which are monitored through the 'European Semester' – the annual cycle of macroeconomic, budgetary and structural policy coordination. Yet, four years after the launch of Europe 2020, the EU's headline target on poverty seems out of reach. Recent EU data shows that 24.8% of the population in the EU-28 was at risk of poverty or social exclusion in 2012. The number of people at risk increased from 114 million to 124 million between 2009 and 2012. New risk groups include youth, single parents, children, long-term unemployed, homeless, migrants and asylum seekers as well as Roma.

Moreover, the Europe 2020 headline poverty target is far less ambitious than the post-2015 target translated into the European context. If by 2030, the EU were to reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions it would need to lift 62 million people out of poverty. Currently, it seems unrealistic that the EU will be able to meet the OWG target by 2030, let alone the Europe 2020 headline target on poverty. The post-2015 framework and its related differentiation process however also offers a new opportunity for EU member states to translate targets into sharp results-oriented poverty reduction policies, raise national ambitions as well as to devise an overall integrated poverty reduction strategy currently lacking. Adapting its external action and cooperation efforts to a post-2015 world and effectively sharing the EU's experience and expertise worldwide, could renew faith in the adaptability and value of European, social policies and tools for addressing inequality globally.

Nevertheless, given that the EU remains a prime model on low inequality and social protection³ and the EU's is committed to global poverty reduction and the principle of solidarity in its external action, internal efforts to reduce poverty should not distract from global responsibilities and commitments to support the universal post-2015 agenda.

² The EU measures poverty using the AROPE indicator, which is a relative definition of poverty linked to the concept of social exclusion. It includes people at risk of financial poverty, that are severely materially deprived and/or live in a household with low work intensity (joblessness).

³ Generally speaking all EU member states have well-developed social security systems – albeit with differences among countries in terms of equity and efficiency.

Case 2 - 'By 2030 achieve sustainable management and efficient use of natural resources' (OWG 12.2) and 'By 2030 substantially reduce waste generation through prevention, reduction, recycling and reuse' (OWG 12.5).

In the case of target 12.2 and target 12.5, the EU as a whole and individual member states will need to factor in both the future dependence on various natural resources and high business demand for these. Moreover, in the spirit of Policy Coherence for Sustainable Development (PCSD), there will be responsibilities to assist others to achieve similar aspirations and contribute to common goods.

More efficient resource use, effective waste and pollution management as well as upgraded technology will contribute to more sustainable production patterns. This could be stimulated through pricing and taxation reform, new standards, with reporting requirements, innovation and technology cooperation. Consumer behavioural changes are equally necessary – which can be supported through appropriate pricing and taxation, better labelling and awareness campaigns, as well as educational initiatives.

The EU already has a relevant policy in place regarding sustainable management and efficient use of natural resources (corresponding to targets 12.2 as well as 12.5), the Raw Materials Initiative (RMI) launched in 2008 and further developed in 2011. National interpretation of targets within EU member states in the context of the post-2015 agenda will likely take into account what has already been implemented through the RMI and the gaps that remain. So far, at the national level the RMI requires that EU member states adopt all necessary legislation to support the policy, e.g. through establishing a national minerals policy with adequate policy indicators. Furthermore, member states must provide regular reports on these indicators, which the EU and member states can use to assess the situation and identify areas for improvement.

As regards substantially reducing waste generation, the EU laid out strategies in the Commission's '*circular economy*' Communication. This proposal puts forward various targets that could be used as reference points for national target setting and could contribute to achieving proposed goal 12. Yet, as this area also strongly relates to global public goods, some discussions will have to take place at the global level in terms of whether target benchmarks are sufficiently ambitious and if and in what ways monitoring and evaluation should be adapted and changed in order to keep step with global ambitions and the EU's contribution thereto.

Helping others outside of Europe to achieve SCP patterns could take the form of technology transfers, technical assistance and capacity building – activities closely related to OWG target 12.a ('support developing countries to strengthen their scientific and technological capacity to move towards more sustainable patterns of consumption and production').⁴ The EU or a subset of its member states could take a leading role in this target area. Such a spearhead position would allow Europe to combine development objectives with economic diplomacy. Exporting and sharing technology, training and know-how to achieve waste reduction, increase resource efficiency and implement sustainable recycling methods globally, could boost European innovation as well. Financial commitments in relation to goal 12 are another means to fulfil the responsibility to assist others and contribute to global SCP and common goods.

Case 3 – 'Significantly reduce all forms of violence and related death everywhere' (OWG 16.1)

According to the 2014 Global Peace Index, Europe is the most 'peaceful' region – yet the goal of peaceful societies and the reduction of violence is relevant to Europe, both for national objectives and for Europe's responsibilities to assist and contribute to peaceful societies elsewhere, which are interconnected. Target 16.1 can be differentiated in several ways to guide EU member states' own progress in this area. First, the most relevant form of violence and related deaths will vary depending on the given context (e.g. is homicide the greatest concern or is suicide, sexual violence, or other forms more of an issue?). Second, countries may differ in the indicators they select to assess whether a target has been met.

A suggested indicator to measure target 16.1 is homicide rates, which have been a concern also within the EU, though to differing degrees. According to Eurostat, EU homicide rates⁵ varied substantially in the 2008-2010 period from a low

⁴ It also relates to the Means of Implementation targets of goal 17 – targets 17.6 and 17.7

⁵ These are reported fairly consistently with less variation in definition among EU member states.

of 0.58 in Austria to 7.70 in Lithuania, a figure comparable to that of Chad and Uruguay. What could “significantly” mean in the context of EU member states? For countries where homicides are already very low, such as Austria, it may be difficult to reduce them further or to “get to zero”, though individual feasible targets could be set. However, countries with higher rates could follow the example of Turkey, which halved its homicide rate comparing the 2005-2007 period with 2008-2010 levels. Alternatively, to set ambitious targets, countries may choose to base their levels of ambition on historic progress made by peer countries with similar conditions that have made good progress.

Another potential indicator is violent crime figures. Although these have declined in Europe overall, some countries such as Hungary and Denmark saw significant rises between 2007 and 2010. Again, one could calculate an ambitious reduction benchmark based on starting points of countries. There are of course other context-specific indicators that should be considered for this target, as no single indicator can provide a full picture.

Violence against women is a specific form of violence that has reached significant levels in Europe (OWG target 5.2 specifically targets violence against women). Based on a recent survey, among 42 000 women across the EU-28 one in three women has experienced physical and/ or sexual violence since the age of 15. So far, there exist no specific numerical targets or benchmarks within the EU that could be used as starting point for EU target-setting on violence against women. Target 5.2 is formulated as ‘zero target’ implying a complete elimination of all forms of violence against women and girls. In a strict sense, with complete elimination by 2030 as the objective, no specific progress rate or level would need to be set. Yet, intermediate progress rates and action plans would be useful to guide individual countries in addressing the most relevant challenges. Though not having a specific comprehensive legislation that addresses violence against women at EU level, the EU Council adopted Conclusions in which it recommends a range of actions at EU level as well as within the EU member states. This includes the call for the development of clear action plans, programmes and strategies.

Assistance to other countries in achieving the targets on violence and peaceful societies requires the EU to both provide direct assistance through international cooperation and assume some global responsibilities to minimize the international drivers of conflict. Certainly all development cooperation and external interventions must be sensitive to issues of conflict and violence. The responsibilities to help eliminate global drivers of conflict and to promote global drivers of peace also stems from the principle of PCSD. In addition to recovering stolen assets and combatting organised crime, this for example includes reduction of illicit financial and arms flows through ratifying and fully implementing the UN Arms Trade Treaty. The EU Commission is currently exploring joint EU policy actions as well as indicators to monitor the scale and nature of illicit firearms trafficking within Europe. However, while cooperation within the EU exists, member states’ legal frameworks differ significantly leaving loopholes. Other drivers where the EU will have to assume responsibilities in the spirit of universality and PCSD concerns tackling illicit financial flows without reducing opportunities for legitimate flows such as remittances.

1. Introduction

At the end of 2015, the United Nations (UN) aims to launch a new global development agenda charting a route towards a more sustainable global future in the form of Sustainable Development Goals (SDGs). Both in the Rio+20 Declaration *The Future We Want* as well as in the Outcome Document of the 2013 UN Special Session on the MDGs, governments agreed that the new framework should be universal and applicable to all countries.⁶ The European Union (EU) acknowledged these principles in its 2013 and 2014 Council Conclusions on the Post-2015 Agenda. These emphasise that universality is fundamental and that a new framework should be “*global in coverage and universally applicable, while taking into account levels of development, national contexts and capacities and respecting national policies and priorities*”.⁷

In contrast to the MDGs, the post-2015 agenda reframes sustainable development as a universal project. It includes issues that are of common concern for all and defines objectives to be achieved at the global level.

The complexity and interconnectedness of today's globalised world means that development challenges have become more interlinked and global in nature. “*Levels of want, fear, discrimination, exploitation, injustice and environmental folly*” are universally felt and have implications around the globe (UN 2014a). At the same time, prosperity cannot be sustained without finding integrated and common solutions (HLP 2013: 3). This notion of universality as encompassing not only solidarity with the poorest but also recognition of a shared destiny (Van der Hijden, Olsen and Scott 2014) has found political acceptance in the post-2015 agenda through the universal applicability of all SDG goals. It is also clear that a new universal goal framework will entail both responsibilities and associated tasks and actions for all governments, and that contributions from nongovernmental actors will be required in order to tackle global, regional and national sustainable development challenges. As the UN Secretary General's synthesis report *The Road to Dignity by 2030* emphasises, a culture of “shared responsibilities” needs to emerge in order to deliver on a new agenda.

Yet, while goals and targets may be global in nature and universally applicable, they must be relevant to different contexts and account for different realities to create incentives for change and action. Moreover, responsibilities and accountability will have to differ depending on the circumstances of each country, their respective development statuses and the means available to them. Universality, thus, cannot be separated from the related principle of differentiation; and the concept of universality in the post-2015 agenda may become possible only if an equitable system of differentiation is in place.

Despite the centrality of this aspect for the workability of a new framework, finding an acceptable system of universality and differentiation for the post-2015 framework – or formulated differently, the translation of “global universal goals and targets” to targets and actions that are relevant to the context they are applied to – has been the subject of very limited discussion so far. The outcome document of the Open Working Group for Sustainable Development Goals (OWG),⁸ which serves as the main basis for the further negotiation of goals and targets, provides minimal guidance on how differentiation might take place in practice. It notes that the targets of a new framework “*are defined as aspirational global targets, with each government setting its own national targets guided by the global level of ambition but taking into account*

⁶ Both texts use different formulations. Whereas ‘The Future we Want’ declaration states that sustainable development goals should be ‘*global in nature and universally applicable to all countries*’, the Outcome Document of the Special Session on the MDGs notes that the framework should be ‘*universal in nature and applicable to all countries*’.

⁷ See Council of the EU, 2014. A slightly different formulation is used in the 2013 Conclusions; see Council of the EU, 2013. It mirrors the wording in the Open Working Group Outcome Document, which reads that goals and targets have to ‘take into account different national realities, capacities and levels of development and respect national policies and priorities.’

⁸ United Nations, 2014b.

national circumstances” (United Nations 2014b: 9). Greater specification and detail is left to the further General Assembly sessions.

Translating the universal post-2015 goals into national actions, commitments, responsibilities and accountabilities that respect national priorities and circumstances is a considerable challenge. This is especially so since all national-level actions are to be ambitious and add up to global commitments that contribute effectively to sustainable development. A core issue will be to strike a balance between adapting the targets to the national level and maintaining the ambition of the global commitments – without compromising comparability and accountability.⁹

There is a sense of urgency to resolve this challenge. It may be immensely difficult to reach political agreement on thematic global goals if the framework is not accompanied by shared universal commitments and by a clear structure of differentiation for translating targets into national commitments. Furthermore, this structure will have to be perceived as fair and as feasible by the parties. This is especially so for those targets spelling out means of implementation (MOIs) and commitments towards achieving global common goods (e.g., targets related to reducing unsustainable consumption and production patterns).

The purpose of this paper is to discuss some of the conceptual and political challenges in constructing a framework of differentiation for the post-2015 agenda. It will not define a framework of differentiation that would satisfy criteria of “fairness” or that would be equitable. This is a matter of political choice. Various “fair” possibilities exist – often dependent on the subject’s perspective. This paper does discuss in an analytical manner the types of issues that will need to be addressed in seeking a balanced and equitable differentiation framework for the post-2015 context.

The paper is premised on the assumption that nation states are willing to engage in collective action, to bear responsibilities and to commit to a post-2015 agenda. While a “fair” differentiation system and global review and monitoring structures may provide some of the necessary incentives to contribute, a variety of other factors will determine incentive structures within countries as well as globally. Though this paper occasionally points to possible incentives, it is beyond the present scope to discuss how governments can be further incentivised in implementing the post-2015 agenda.

This paper first sets out conceptual issues associated with universality and differentiation in **section 2**. **Section 3** then explores how differentiation and the translation of international goals to national targets has been operationalised in a number of international agreements. Differentiation is discussed in the context of the multilateral trade regime and the principle of “Common but Differentiated Responsibilities” (CBDR) that emerged from the 1992 Rio Declaration (and has been transferred on to the post-2015 discussions). In the context of the “New Deal”, we review the experience of the g7+ in translating common peacebuilding and statebuilding goals into nationally-relevant targets and indicators. All of these differentiation regimes contain lessons and implications for universality and differentiation in a future post-2015 framework. **Section 4** discusses aspects of a post-2015 differentiation framework and sketches some proposals that have been made on how differentiation might be operationalised. **Section 5** explores a process of setting national-level targets that could help to bridge the gap between national contexts and global-level ambitions. **Section 6** presents a summary and conclusion. Illustrative cases in the **annex** convey what universality and differentiation could mean with regard to a specific issue area being operationalised within the European context.

⁹ The OWG proposed goals and targets would mostly be adapted and further defined at the national level, except of some pre-set targets which do not further need national translation, such as target 1.1. on eradicating poverty for all people everywhere at the \$1.25 a day level.

2. Conceptual aspects of universality and differentiation in the post-2015 context

2.1. The SDG framework and principles of differentiation

In the post-2015 context, universality and differentiation have to be seen in light of the variety of objectives covered by the SDGs, addressing different but interlinked sustainable development challenges. While the Millennium Development Goals (MDGs) focused on human-development outcomes and poverty reduction, the SDGs will go further, to include broader sustainability aspects such as sustainable economic growth, decent work and reduction of inequality. The SDGs will also incorporate commitments to support provision of a number of public goods, such as peace and security and climate change mitigation.

The universality principle implies that the goals and targets are relevant to all governments and actors. In the OWG proposal, the various goals have associated targets relating to either an aspirational outcome or to means of implementation (MOIs) for supporting outcomes at home, abroad and globally. The targets thus fulfil different functions entailing different implications for differentiation. These areas of functional differentiation can be captured in three “types” of targets, referred to in this paper as type I, type II and type III targets:¹⁰

- I. **Domestic development outcomes.** Governments assume responsibility for improving the situation of their own citizens. A number of targets relate specifically to commitments for national progress in a certain area, with the aim being to produce benefits for own citizens in line with the envisioned global goals. This involves, for example, translating the targets on poverty reduction or inequality into nationally-relevant and attainable targets for reducing national poverty. These achievements then contribute to global progress on the goal. Actions towards these thus take place at the national level, with governments and other national stakeholders being in the implementation driving seat.
- II. **Responsibilities for assisting other countries.** Countries bear an appropriate burden in helping others to achieve their national development outcomes and SDG targets. This includes targets for the provision of financial assistance and support to other countries, such as official development assistance (ODA) and climate finance targets. It may also include broader international cooperation and external action directed specifically at a country or a group of countries, such as beneficial treatment in trade agreements for a set of countries, technology transfer, etc. The focus of such targets is to provide support to assist other countries in implementing the new, universal agenda.
- III. **Responsibilities for supporting progress towards global common goods.** This may include commitments to reduce CO₂ emissions and curb unsustainable consumption and production patterns. Common goods are meant to benefit all countries and all people – both within individual countries as well as globally – and to establish fair international systems.¹¹ Unlike specifically-targeted assistance, which is aimed to benefit a particular country or group of countries, contributions to common goods aim to benefit the planet and the global community as a whole. Global partnerships play a role in achieving these targets.

This classification is not clear-cut. Many of the goals and targets are interlinked, so progress on one will determine what progress is possible on another. For instance, the Ebola crisis has shown that progress in strengthening national health systems, which benefits national development and health outcomes (“type I”), may also be a prerequisite for ensuring regional and global common goods (“type III”). Actions to achieve

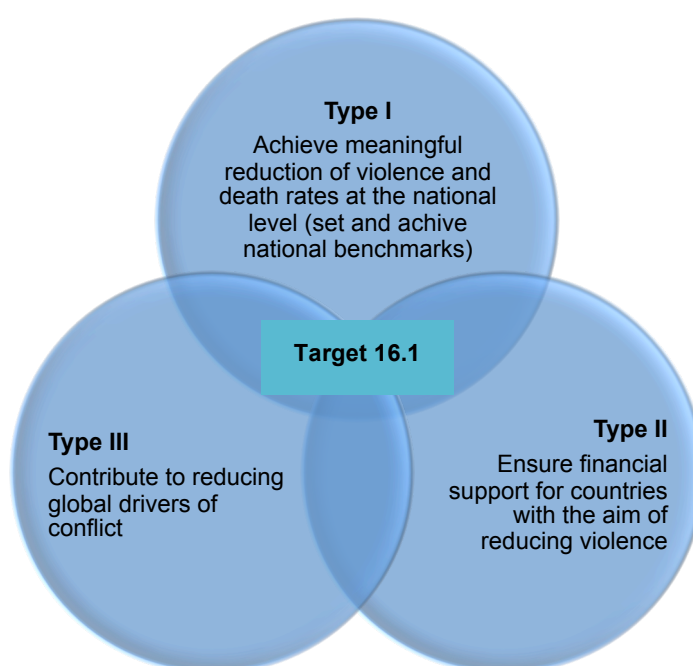
¹⁰ For a similar distinction between functions of targets see Melamed and Bergh, 2014.

¹¹ While the first target type refers to outcomes, the second and third can be said to relate more to the means of achieving them.

certain national targets may automatically also support wider international goods. Moreover, to achieve some national development targets (type I), external assistance (type II) and progress on common goods (type III) may be required.

In this sense, some targets encompass several functional dimensions, while others link straightforwardly to only one. For example, the target of achieving an ODA level of 0.7% of gross national income (GNI), as specified in OWG target 17.2, clearly falls under type II. However, the target to significantly reduce all forms of violence everywhere (OWG target 16.1) encompasses multiple dimensions (Figure 1). The aim here is not to provide a precise classification of the proposed OWG targets. Rather, it is to offer an analytical device for thinking about the types of commitments required to implement and achieve the universal agenda. Different approaches to differentiation might come into play when setting ambitions and allocating responsibilities for these different types of commitments.

Figure 1: Target 16.1: Significantly reduce all forms of violence and related death rates everywhere



Actions or policies towards any of these three types of targets should not obstruct, and ideally should support, progress towards other dimensions of the same target as well as other post-2015 targets. This is important to consider when setting differentiated targets at the national level and when deciding on policy actions to achieve them. Efforts to achieve national development targets, furthermore, should not undermine responsibilities to contribute to common goods (type III).¹² This ties into the principle of “policy coherence for sustainable development” (PCSD),¹³ which states that policies in one area should not undermine sustainable development prospects in another area, and ideally synergies should be found.

In order to balance the universality and global ambition of the framework, on the one hand, and national priorities, on the other, a system must be found that allows target-setting to be nationally-relevant and

¹² Much of this of course depends how coherent the goal framework is in itself and whether all goals can be build in a way to be mutually supportive, a crucial discussion that is however beyond the scope of this paper.

¹³ Policy Coherence for Sustainable Development (PCSD) is noted in the OWG SDG proposal as part of the means of implementation and global partnership aspect (17.14). PCSD emerged from the Policy Coherence for Development concept (PCD) which originally put the focus on ‘beyond-aid’ policies of OECD DAC donor countries. Within the universal post-2015 agenda PCSD denotes a more comprehensive and universal principle that highlights the importance of all three sustainability dimensions, cross-sectorial approaches and that provides relevant guidance for all countries. For more background see Knoll, 2014 and OECD, 2013.

perceived as such, that stimulates all countries to take action in contributing to the global vision and that enables comparability for monitoring.

To achieve this, some differentiation will be needed. Principles of fairness will have to be brought in, and criteria will have to be found on which differentiation might be based. These principles and criteria will have to be sensitive to the thematic areas concerned and the specificities of particular goals and targets. They will also differ according to the target types. Distributing responsibilities for reducing CO₂ emissions might involve different equity criteria than distributing responsibilities for providing ODA or other external assistance. Similarly, establishing a system for setting nationally-relevant development outcome targets (type I) will be different from the process of distributing responsibilities for MOIs. Nonetheless, a number of general elements can be considered of overall importance for fairness and equity. These will need to be clarified independent of the type of post-2015 target or issue area concerned (Table 1).

Table 1: General elements considered of overall importance for fairness and equity

The object of differentiation	What aspects will require differentiation across or within countries (e.g., provision of resources for assistance, access to assistance, emissions rights, reduction of maternal mortality rates, access to healthcare)
The way the object(s) will be differentiated	How might differentiation take place (e.g., differentiation across or within countries concerning rates of progress, levels of ambition and timeframes for implementation; differentiation in the degree, amount or type of responsibility to contribute)
The differentiation criteria	What fairness or effectiveness benchmarks or norms could provide a solid basis for differentiation (e.g., related to capacity, effectiveness, “polluter pays”, need, etc.)
The actors	Will actors be subject to differentiation in groups or individually
The process	The process to arrive at differentiation criteria may be important, as it may in part determine whether a certain regime is perceived as fair

To the list in Table 1, one might add **monitoring and review**, as even the fairest of systems requires regular assessment and fine-tuning. Routine monitoring and review furthermore provide participants opportunities for redress when things do not go quite as planned (the WTO’s complaints procedure is a good example in this regard).

2.2. Fairness versus effectiveness

The criteria that underlie differentiation systems often involve competing values and interests, leading to trade-offs that need to be balanced. One of these trade-offs is fairness versus effectiveness in achieving goals and targets. The balancing act is a politically difficult one. Distribution criteria that satisfy certain fairness principles, such as the “polluter pays” (invoking the causal or moral responsibility) and “each according to their means” (bringing in capacities and capabilities, level of development or wealth), may not be the most effective or efficient for achieving an objective. Nonetheless, a system of differentiation that bypasses accepted principles of fairness may be rejected by many governments. Resolving such trade-offs may require specific efforts to generate buy-in so that most actors perceive them as sufficiently fair and a good enough balance between competing values. In the words of Vinnuales (2011), *“A fair but ineffective distribution may, in fact, be worse and therefore more unfair, than an ethically less elegant patchwork of criteria applied to different objects distributed among different actors at different levels.”*

These considerations are also at the core of the challenges invoked by the subsidiarity principle for setting national targets in the post-2015 framework. Yet if a process of letting governments unilaterally determine their own level of ambition led to lower ambitions and less effectiveness in achieving the goals, the process would “lose meaning and credibility” (Norton et al. 2014) and end up being less fair.

Many international agreements already include provisions for differentiation based on principles of fairness, equity and effectiveness. For instance, they are found in the system of Special and Differential Treatment (SDT) for developing countries applied in the multilateral trade system. Fairness considerations are also present in the notion of “Common but Differentiated Responsibilities” (CBDR), formulated in the 1992 Rio Declaration in relation to environmental degradation.¹⁴ Such criteria are, moreover, common in the regulation of financial contributions to international organisations, and even the UN uses a scale of assessments to determine membership contributions.

To derive lessons on differentiation and national implementation of global goals in the post-2015 context, the next section explores in greater detail how SDT has been operationalised within the World Trade Organization (WTO), the operationalisation of the CBDR principle and the experience of the g7+ in defining internationally comparable yet nationally-relevant indicators for progress towards common goals as part of the “New Deal”.

3. Differentiation and context-specificity in international agreements: Lessons for post-2015

3.1. Special and Differential Treatment in the global trade regime

Differentiation is an integral part of the global trade regime. Under the WTO, the General Agreement on Trade and Tariffs (GATT) formally introduced the principle of Special and Differential Treatment (SDT) in its 1979 “Enabling Clause”. This clause granted developing countries preferential market access, limited reciprocity and greater freedom than otherwise permitted under GATT rules and Most Favoured Nation status (Hoekman 2005).

The GATT regime, as instituted in 1947, was based on the idea of universality in terms of application of its rules to all members. Non-discrimination and reciprocity have since become the primary principles, with limited space allowed for differentiation. The starting point for GATT was thus similar to the universal aspirations of the post-2015 framework. Yet, it has faced the need to accommodate fairness considerations and flexibility in response to the huge variability of national circumstances, contexts and priorities.

The GATT and WTO standards – and resulting implementation costs – have as their starting point the status quo and capacities of OECD countries, which imply at times disproportional burdens for less developed countries. Developing countries have thus demanded greater flexibility and “policy space” to make the agreement fairer. Thus the SDT provisions incorporated into the WTO regime aim to promote the gradual integration of developing countries into the multilateral trading system (Hoekman 2005, Yanai 2013). To take national circumstances into account GATT was first amended in 1964 and non-reciprocity and special provisions introduced for “less developed countries”. Later, the “Enabling Clause” sanctioned a departure from non-differentiation, as developing countries were granted more favourable treatment. This, however, also included language whereby they would be expected to “*participate more fully in the framework of rights and obligations*” as their situation improves (Article 7). The 1994 WTO treaty ended the principle of non-reciprocity, introducing instead the principle of “single undertaking”, which implies the end of opt-outs to commitments. However, it retained “a long list of special provisions for ‘developing countries’” (Pauwelyn 2013).

¹⁴ Article 7 reads: “*In view of the different contributions to global environmental degradation, states have common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit to sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command*”

Objectives and manner of differentiation

In the WTO regime, SDT takes multiple forms: (i) preferential market access for developing countries to developed-country markets, as provided for by the General System of Preferences and duty-free, quota-free access for least-developed countries (LDCs); (ii) allowances for varying levels of commitment and flexibility through transitional time periods as well as exemptions from certain disciplines (e.g., export subsidies are allowed for countries with a per capita income of less than US \$1000); (iii) less-than-full reciprocity in multilateral trade commitments; and (iv) provision of technical assistance and support (Hoekman 2013).¹⁵ At the same time, there was a shift towards assisting countries in adopting the same measures as developed country members – albeit with greater flexibility – but away from agreements premised on implementation exemptions for developing countries. Some experts have argued that this simultaneously implied a move away from strong differential treatment for developing countries as a single group towards a very different form of more finely-tuned differentiation (Pauwelyn 2013).

An example of this shift is the latest stand-alone Trade Facilitation Agreement (TFA), negotiated in Bali in 2013 as part of a three pillar package and described as part of an “early harvest” from the Doha Development Round. For developed countries, the TFA provisions will apply once the agreement enters into force. For developing countries and LDCs, various SDT aspects will be introduced giving them more flexibility, though not exempting them from the provisions entirely. TFA stipulations are classified in three categories. Those in the first category apply unconditionally, yet LDCs will be granted a one-year period for implementation after the TFA enters into force. For the second category, developing countries will be allowed to unilaterally determine the timeframe for applying them. The third category of provisions are those to be implemented by developing countries only after a self-determined transition period and acquisition of the necessary implementation capacity “*through assistance and capacity building*” (Hoekman 2014). As in the environmental agreements explored further below, differentiation here explicitly links the implementation ambition of developing countries with provision of means of implementation. The lengths of implementation periods are unlimited and rely on the willingness and good faith of countries to undertake reforms. Transition periods can be adapted if implementation periods seem unfeasible, subject to a reporting of reasons and assessment of any additional assistance needed. If a country cannot meet the revised timeframe it has set for itself, the TFA committee can invoke establishment of an expert review committee to assess the situation and provide recommendations.

The Bali TFA includes a number of new SDT rules, but the road to its adoption was long, spanning more than a decade. In particular, it was difficult to find a way to link implementation assistance with provisions for developing countries that was acceptable to every party. The result is an *a la carte* approach in which parties themselves determine the timing of implementation, which can thus be based more on country-specific considerations. Developing countries need not specify the differentiation criteria used in determining the length of implementation periods, except in cases where challenges in meeting timeframes persist.

Classification of actors and “fairness” criteria used for differentiation

The WTO notion of SDT responds to the wide differences among WTO members in resources, capacities, national priorities and ability to carry the costs of new provisions. Some question, however, the net benefits of applying some of the provisions (Hoekman 2005: 2).

Within the GATT and the WTO, the applicability of SDT has generally been based on criteria related to level of development. Differences in capacities and development needs have thus been the criteria for

¹⁵ A problem of the SDT provisions has been their underuse and ineffective application. A key aim of the Doha Development Round was thus to make the SDT provisions more tangible, operational and effective (Hoekman, 2013). Various proposals were put forward to reform the SDT provisions in the context of the Doha discussions. For an overview of pre-Bali proposals see South Centre, History and Assessment of the Cancun Annex C: 28 Special and Differential Treatment Proposal, April 2013 or DIE, 2013

determining member states' various obligations and responsibilities. Yet, the WTO has no official list of criteria for determining countries' status as "developing" or "developed". Rather, this is self-determined, which has led to the majority of WTO members currently classifying themselves as "developing" countries.¹⁶

This ambiguity of the definition of "developing countries" has been criticised – especially as until now, no country has ever graduated from the group of developing countries. There are no graduation criteria. Yet, the self-declared status can be subjected to scrutiny. Any WTO member may contest the self-declared "developing country" status of another member and with it the applicability of the SDT provisions, and this has frequently occurred (Pauwelyn 2013). The WTO Appellate Body must then assess the situation, usually drawing on certain more objective criteria.

A second group to which the WTO provides greater differentiation is countries classified as LDCs by the UN. Furthermore, over the years and as part of a tendency towards nuancing differentiation, the WTO has recognised other groups for SDT, such as the group of net food importing developing countries under the Uruguay Round and countries with insufficient manufacturing capacities in the pharmaceutical sector under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). Eligibility criteria for SDT provisions were also part of the negotiations for the new TFA – however, with limited effect.

The emerging economies that still classify themselves as "developing" can make use of SDT, and much of the Bali agreement's impact in lowering global trade costs will depend on their actions (the timeframes they adopt and their implementation) (Hoekman 2014). While flexibility of the SDT provisions was necessary to gain developing and emerging economies' agreement on the package, thus seeming to be part of the fairness equation of these countries,¹⁷ from the perspective of effectiveness its impact and success have yet to be seen.

3.2. The principle of CBDR in international environmental law

The principle of "Common but Differentiated Responsibilities" (CBDR) also conveys a logic of differentiation according to certain equity criteria. It was developed through the international discussions on environment and sustainable development and applied since the 1992 Rio Declaration¹⁸. In the post-2015 discussions, CBDR has become relevant for two reasons. First, its application since 1992 offers lessons that could potentially benefit the post-2015 process. Second, it has been introduced into the post-2015 debate. In fact, CBDR became a highly contentious issue in the OWG, leading to protracted discussions on the scope of the principle and how it might tie in with future SDGs. The CBDR principle, with its roots in a North-South paradigm, carries substantial ideological connotations¹⁹ that have not been entirely helpful in the post-2015 negotiations. Overcoming these may require a fresh notion that conveys a new paradigm on differentiation, with more emphasis on the "shared responsibilities" to which the UN SG points in his synthesis report, while incorporating the relevant equity and fairness criteria.

¹⁶ See WTO website www.wto.org/english/tratop_e/devel_e/d1who_e.htm

¹⁷ For proponents of trade facilitation initiatives that view them as beneficial for all countries, the fairness assessment may lead to different results. As Hoekman, 2014 has pointed out for example, development practitioners find it difficult to justify an agreement that pays 'governments to remove rocks that they have themselves dumped in their harbor'.

¹⁸ CBDR originated in Principle 7 of the Rio Declaration, which underlines historic responsibilities and financial capacities and capabilities as relevant equity criteria on which differentiation is to be based. It also distinguishes developed and developing countries ("Annex I" and "non-Annex I" countries) as relevant groups for differentiation. However, the operationalisation of the principle in the environmental field has had a chequered history.

¹⁹ As Stern points out, CBDR embodies an ideological narrative of fault and blame as well as the pragmatic purpose of highlighting the right to development for developing countries fearing that climate requirements constraints their capacity to grow or alleviate poverty. See Stern, 2013.

Objectives and manner of differentiation

The Rio Declaration broke from previous environmental agreements in differentiating between developed and developing countries' obligations and implementation requirements. For example, developing countries were allowed more generous timeframes for compliance, adoption of different base years, softer approaches to non-compliance and technological or financial assistance. Also, while developed countries were subject to legally-binding emissions reduction targets and timetables, developing countries had more leeway (Rajamani 2012: 611). An additional element in the Rio Declaration, though already found in previous accords such as the Montreal Protocol of the late 1980s, was the conditional link between some developing country commitments and the implementation of commitments by developed countries, especially as related to resource transfers.²⁰

Classification of actors and "fairness" criteria used for differentiation

Annex I countries (developed countries and those in transition towards a market economy)²¹ were subject to quantified emissions targets, while non-Annex I parties (developing countries) were committed only to "loosely defined" and voluntary mitigation targets (see Vinuales 2011). In addition, Annex II parties (a subset of Annex I made up of developed OECD countries)²² were obliged to assist developing countries through financial and technical aid. Countries that were classified as Annex I but not part of Annex II had some additional flexibility in meeting quantified targets, including their choice of base year (Vinuales 2011). With regard to recipients of assistance provided by Annex II countries, both developing countries and emerging economies were included on the list of potential beneficiaries, though the specific circumstances that entitled a country to have access to climate finance or technical assistance was a subject of discussion (see Vinuales 2011). In the Kyoto differentiation system, the equity criteria on which differentiation of targets was based were, on the one hand, "historical emissions" (production of greenhouse gas emissions in the past) and, on the other hand, financial and technological capacity and capabilities and "level of development".

CBDR has led to many deadlocks in the 22 years since it was first agreed. The Annex I–non-Annex I division has been described as too static and too simplistic. Critics say that it fails to reflect reality and bypasses the diversity of existing state groups. In its current form, it is thus considered an inadequate basis for an effective (or fair) system to achieve climate-related goals. Agreements in recent years have softened some of the differentiation initially introduced. Underlying such changes have been attempts to redraw the Annex I–non-Annex I boundaries, as well as to shift equity principles from "historical emissions" and "level of development" towards "current and projected emissions" and "economic power" in order to arrive at a more effective system in which emerging economies assume more responsibilities (see Vinuales 2011). Yet both Deleuil (2012) and Rajamani (2012) point out that despite more parallelism in mitigation pledges and actions by both developed and some developing countries, commitments have shifted towards a lowest common denominator and weakened ambition, perhaps resulting in less effectiveness as well. Be that as it may, the climate change debate has moved towards a more refined differentiation between actors, and a rebalancing is under way.

The outcome of the most recent UNFCCC conference, in Lima, Peru, confirms this trend. The agreement reached no longer makes the explicit distinction between Annex I and non-Annex I countries. Instead, it reiterates the importance of the CBDR principle, with the addition of "in light of different national

²⁰ This has become known as 'linking clauses' and is for example expressed in UNFCCC article 4(7), which makes implementation by developing country parties conditional upon the '*effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology...*'.

²¹ Annex I countries include Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, European Union, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States of America (including observers).

²² Based on OECD membership in 1992, see Pauwelyn, 2013.

circumstances". This opens the door to a more fluid and nuanced concept hinged on several equity criteria including historical responsibility, capacity and capabilities, as well as other relevant national circumstances. An important rider here is that countries are obliged to assume more responsibility as they develop. All countries are being asked to curb greenhouse gas emissions and to submit their own national plans towards this goal by March 2015. Based on these, the UN will analyse whether the goals add up to the global ambition of limiting the temperature increase to less than 2°C or 1.5°C. This does not mean that the CBDR issue is fully resolved. In fact, a substantial part of the discussions has been left for the Paris summit in 2015. Chinese negotiator Xie Zhenhua has been quoted as saying that the Paris negotiations "*will be more challenging and require parties to show greater flexibility*" (Duggan 2014).

CBDR in the post-2015 process

Developing countries have lobbied for inclusion of the principle of CBDR in international agreements relevant to the three pillars of sustainable development: social, economic and environmental. It is via this route that the term has entered the post-2015 process.

Despite its inclusion in the Rio+20 Declaration, the CBDR principle led to controversy during the September 2013 special event on progress towards the MDGs at the 68th UN General Assembly. Developing countries wanted to see the term reflected in the outcome document. Industrialised countries did not feel that CBDR applied to the post-2015 framework, and thus did not view an explicit mention of the principle as worthwhile. The final outcome document did include the principle, clearly referring to its 1992 definition, which limits its application to environmental degradation. Similarly, the OWG proposal for the SDGs – the basis for negotiating the final post-2015 goals – refers to CBDR as defined in 1992, stating that the goals must "*take into account different national realities, capacities and levels of development and respect national policies and priorities*". This echoes *The Future We Want* Rio+20 Declaration. Thus, while the reference to CBDR seems to be limited to environmental degradation, differentiation was made part of the equation of the post-2015 goals to ensure universal participation.²³

The new global geopolitical circumstances and the broad scope of the proposed OWG goals, suggests that it may be desirable to define a more pragmatic differentiation system for the post-2015 agenda. This would depart from some of the strong connotations that the CBDR principle carries from the negotiations on climate change. This is not to say that fairness and effectiveness principles like those in the climate negotiations will not play a role in the post-2015 context. However, any new system of differentiation applied to the broader post-2015 goals will need to be based on the elements of "different national realities", "capacities", "levels of development" and "national policies and priorities", as stated in the documents sketching the basis for the new goals (Leong 2014).

3.3. The New Deal and g7+ experience: From global to national

The two examples above relate largely to equity criteria and differentiation of responsibilities between developed, transitioning and developing countries and focused mainly on means of implementation and commitments towards achieving global common goods (defined earlier as type II and type III targets). Yet, there is another aspect to the post-2015 discussion; that is, the process of adapting global commitments to the national level, incorporating them into national development objectives and taking country contexts into account (type I targets).

²³ A number of goals and targets currently in the OWG report would thus be relevant for an application of CBDR if related to environmental degradation.

This more national-level perspective is illustrated by the example of the New Deal, an initiative of the g7+ – a group of 18 fragile and conflict-affected states – and their international partners.²⁴ Though less about equity and responsibility-sharing at the global level, this case provides insight for the post-2015 task of operationalising universal goals and targets within individual countries. In fact, the g7+ has experienced numerous political and technical challenges in translating the group's aspirations into nationally-specific targets and indicators. The main principle underpinning the New Deal is recognition that peacebuilding and statebuilding need to be country-led and country-owned processes, whereby each country determines its own trajectory to emerge out of fragility. A major driver was the need to counter the tendency to apply the same “one-size-fits-all approach” to interventions in every fragile state.

The New Deal sets out five Peacebuilding and Statebuilding Goals (PSGs), based on which the g7+ and its international partners agreed to develop two strategic tools. The first, a fragility assessment, would provide a harmonised methodology for country-led assessments of the causes and characteristics of fragility and sources of resilience. The second tool, a set of indicators for each of the five PSGs, would provide a basis for tracking progress at the global and country level (McCandless 2013). Many of the difficulties encountered in the New Deal process have been related to the design of the analytical framework and guidelines for conducting the fragility analyses and to the development of the country-specific “fragility spectrums”, which were to yield a common set of indicators that reflect challenges shared by fragile states. Moreover, difficulties have arisen on how the common indicators should be applied.

A key concern of the g7+ was the measurement and categorisation of fragile states according to donor monitoring frameworks that assess the nature of national contexts using a standard yardstick. Fragile countries, moreover, harboured concerns about overly ambitious international targets and goals for fragile states. These, they felt, neglected the low base from which fragile states are starting, and thus set countries up for failure. Finally, fragile states recognised that indicators set by international actors had bypassed the true experts on fragility – the citizens of the fragile states themselves (see g7+ 2013).

The g7+'s international partners convened an expert meeting in September 2011 to develop a list of indicators for measuring PSG progress. However, the g7+ strongly pushed back regarding both the substance and the process. They emphasised that shared indicators could only be drawn from the bottom up, through pilot fragility assessments and country-led processes. The assessment tool and indicators, they said, would have to emerge from the realities within the countries. Simultaneously, g7+ actors perceived the analytical framework for guiding countries in conducting the fragility analysis as too long and complex. They suggested a more *“open-ended set of questions with room for countries to self-articulate the nature of their fragility predicament”* (McCandless 2013: 239).

In a subsequent bottom-up process of indicator development, the country-specific indicators from the five initial New Deal pilot countries were compared and the ones most commonly shared identified. This resulted in a list of 34 indicators considered valid across the pilot countries.

Tensions emerged, however, around the prospect of using these common indicators. The g7+ stated that although the indicators indeed reflected important areas of peacebuilding and statebuilding that were considered relevant for all members of the g7+, this did not imply that they were necessarily the most important areas, or indeed the priorities, in a given country. Thus, the common indicators alone could not be seen as indicative of a country's progress on a particular PSG. To gain a complete picture of progress, the country-specific “baskets” of indicators would have to be considered. For this reason, too, the common indicators were rejected as a tool for prioritisation, for channelling resources to particular areas and for policy and programming guidance. All such decisions, the g7+ maintained, should be made based on the

²⁴ The New Deal for Engagement in Fragile States was adopted at the Fourth High-Level Forum on Aid Effectiveness in Busan in 2011 to operationalise the Busan Partnership for Effective Development Cooperation in fragile states. For more background see the New Deal webpage: www.newdeal4peace.org

country-specific fragility assessments and the country-specific baskets of indicators. Simply put, measuring progress towards the PSGs would have to be done using the country-specific targets, and not only the common ones.

The g7+ stressed a number of further points as well. Firstly, the common indicators had to be interpreted flexibly, as g7+ countries had to measure what was practically available and locally relevant. Secondly, the list of common indicators was to be considered a work in progress. Their applicability, relevance and usefulness would have to be tested in a further pilot phase. Thirdly, the common indicators were viewed as inappropriate for comparing countries, as they told only part of the story of a country's progress in relation to each PSG area. A comparison using only these indicators would thus *"go against the spirit of the New Deal, which was precisely to counteract the 'one size fits all' approach often taken when dealing with fragile states"* (g7+ 2013). Another difficulty with the indicator development process was that it had been driven by technical ministries and not in all cases been validated at the highest political levels. The language used, therefore, was that the indicators had been *technically* validated. In the end, the common indicators were adopted as an "interim" list, and g7+ countries were encouraged to start piloting these as part of their broader country-specific baskets of indicators.

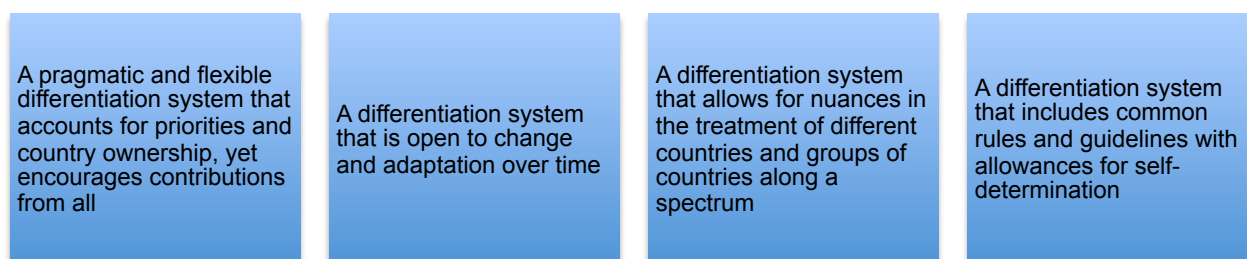
It is important to keep in mind the context of the New Deal common indicators, which was that of aid effectiveness and a strong pushback against one-size-fits-all approaches. Genuine concern existed about the skewing of policy priorities that could result from these indicators in the context of donor-recipient relations. This does not translate directly to the post-2015 context. In fact, the g7+ has been proactive in advocating an SDG on peaceful societies and effective institutions, and it views the incorporation of such a goal in the post-2015 framework as a key priority. Moreover, it view the common indicators as an valuable input to the post-2015 process.

Still, the New Deal process so far has demonstrated the tension that exists between the need for globally-shared indicators and demand for grounded, locally-relevant measures. It has also emphasised the need to take countries' own priorities into account, and brought out the importance of country ownership in determining what is relevant and can feasibly be measured. The desire for flexibility, for piloting and for fine-tuning indicators is also apparent. Lastly, the New Deal has revealed the importance of processes that have the buy-in of national actors.

3.4. Lessons learned for the post-2015 agenda

There are a number of important aspects and challenges that the reviewed cases reveal concerning implementing global aspirations in different contexts. These are summarised in Figure 2.

Figure 2: Lessons for a post-2015 differentiation system



Certainly there is a need for a pragmatic and flexible differentiation system. Such a system would depart from some of the strong connotations of past systems. It would also aim to ensure contributions from all, while enabling country ownership and priorities and stimulating locally-relevant measures. This has been the tenor of all three cases reviewed. In the context of the TFA agreed in Bali, more nuances are now

found in the treatment of individual countries. All implement the provisions agreed, yet each does so according to its own schedule and linked to assistance and support. In the climate change discussions, a shift was noted towards the effectiveness side of the fairness coin. Here, allowances for exemptions seem to be gradually narrowing, to facilitate firmer strides towards sustainability. Nonetheless, discussions on what a “fair” division of responsibilities would be have not been resolved, and this issue still seems important for getting actors on board. The case of the New Deal underlines the need for local buy-in and flexibility in setting indicators. It demonstrates, too, that systems that do not follow this path may be perceived as unfair, resulting in political pushback.

Flexibility is another key element. A differentiation system must be open to change, both in the criteria selected for differentiation as well as in the definition of what actors are subject to the various differentiation aspects. The CBDR and SDT, in particular, point to a need for sufficient flexibility, enabling countries to take on different commitments and responsibilities when their situation changes. This is also the case in the context of the New Deal. The g7+ made clear that indicators adopted nationally – and even the shared indicators – could be revised if they do not prove sufficiently relevant in the test phase.

These international differentiation systems, as well as others, seem to reveal a trend towards more fine-tuning in the treatment of different groups of countries and increased need for parallel commitments and responsibilities among the stronger developing countries. This trend is also captured by the International Law Association’s suggested interpretation of the “Common but Differentiated Responsibilities – Respective Capabilities” (CBDR-RC) principle. The Association argued that with regard to climate change, *“States’ commitments... shall fall along a spectrum and... evolve over time as their contributions, capabilities, economic fortunes and national circumstances evolve”* (ILA 2014: Art. 5 para 4; see also Schwarte 2014). The recent agreement reached in Lima is a manifestation of this. Yet, politically, this trend remains contentious. The G77 and China emphasise their “right to development” and the greater responsibilities of developed countries in the post-2015 agenda overall.

In terms of the process of determining differentiated responsibilities, timeframes and commitments, as well as relevant equity criteria and national targets and indicators, the three examples indicate a move towards strong self-determination, guided by a process with common rules or guidelines, such as the fragility framework tool of the New Deal, the pledge-and-review commitments in the climate change discussions and the assessment and notification process incorporated into the Bali TFA.

Differentiation in the new development framework will require an institutional process and set-up that is tasked to manage similar challenges of being flexible and ensuring buy-in from all by building in principles of fairness, while also effectively addressing the development challenges ahead. In the process of defining national targets, various criteria and elements that aim to balance fairness and effectiveness will have to be invoked relating to the specific issue area, goal or targets concerned. Next, section 4 will discuss in general terms several considerations relevant to both differentiation criteria and the translation of global aspirations to the national level. It does so, in turn, for the three types of targets set out in section 2. The discussion draws from three illustrative cases on implementing targets related to economic transformation, poverty reduction, and peace and security in the EU context. These are presented in the annex.

4. A differentiation system for the post-2015 agenda

4.1. Adapting targets to the national level for own development outcomes

The OWG suggests that the SDGs and associated targets should set high aspirations for development outcomes, such as “getting to zero” in areas such as preventable deaths of newborns and extreme poverty. This is markedly different from the MDGs, as it requires that *all* countries implement the SDGs and reconcile their national strategies with the internationally agreed goals and targets. Yet, most of the OWG targets for national outcomes will need to be further defined and adapted to local circumstances. Which targets are emphasised under the goal on poverty reduction, for example, will differ from country to country, depending on the poverty context and trends. Some very poor countries may choose to focus on sustaining pathways for their populations to rise up out of poverty or on stopping impoverishment, while tackling chronic poverty might be a more relevant priority for others (Shepherd 2014). Developed countries, for their part, will need to define relative poverty and focus on raising living standards for the people defined there as poor.²⁵ As Melamed and Bergh (2014) point out, “*expecting every country to reach the same point in 2030, irrespective of the starting point, risks setting many countries up for failure*”.

It may be necessary to introduce different levels of ambition or achievement, in terms of both the emphases each target receives and the timeframes provided to achieve development outcomes. A number of proposals have been put forward on how such differentiation could be implemented. These and additional challenges are discussed below.

How to differentiate, and relevant differentiation criteria

The way countries will set own national targets “guided by the global level of ambition” as stated by the OWG, remains unclear. The government of Colombia and Guatemala have proposed a system whereby all agree on a “dashboard” of core targets. National governments could then choose from among these the most appropriate quantitative benchmarks and baselines,²⁶ which would then differ between countries. Janus and Keijzer (2013) add a process element. For the targets corresponding to development outcomes to be achieved nationally, they suggest that target-setting could be done from the bottom up at the national level, based on *adequate consultative processes*.

Such differentiation would satisfy the principle of taking into account “*different national contexts, capacities and levels of development and national policies and priorities*”,²⁷ and it could incorporate procedural fairness provisions. However, this may sacrifice coherence with the efforts required to achieve the common global goals. It may also sacrifice ambition. Moreover, without global comparability and monitoring, the added value of a universal development framework could be lost. The post-2015 monitoring structure proposed by the UN SG synthesis report includes references to a global monitoring report, which implies that at least some core targets are envisioned to be applied in a similar way to maintain global comparability. However, other targets may be open for more flexible national adaptation.

Some of the targets, especially the “getting to zero” ones, may already constitute core targets and serve as a guide for national adoption, as they put forward minimum thresholds and specified benchmarks that countries would agree to. For example, the target to eradicate extreme poverty for all people everywhere, measured as people living on less than \$1.25 dollar a day (OWG target 1.1) would be a minimum threshold that all countries would aspire to and set as a national-level ambition. There should, however, still be scope

²⁵ There is some confusion over absolute and relative poverty in goal 1 in the OWG proposal and target 1.2 as currently proposed. ‘[R]educe at least by half the proportion of men, women and children of all ages living in poverty... according to national definitions’ is not coherent with the goal of ending poverty in all its forms everywhere. See ODI, 2014.

²⁶ Government of Colombia and Guatemala, 2014.

²⁷ EU Council Conclusions, General Affairs Council Meeting, 25 June 2013, The Overarching Post2015 Agenda.

for more ambition. Those countries that are already close to the target could set more ambitious timelines for reaching this minimum threshold. Countries could then also be encouraged to adopt more ambitious poverty levels, such as \$2, \$5 or \$10 a day for the remaining period until 2030.²⁸ For wealthier countries, such as EU member states, OWG target 1.2, to reduce by half the proportion of people in poverty in all its dimensions according to national definitions, may be more relevant (see Box 1 and annex), and this would be the aim integrated into national and regional plans.

Box 1: Implications of the OWG poverty reduction target (1.2) for the EU

The EU already has a headline target for fighting poverty, stated in the Europe 2020 strategy: to lift 20 million people out of the risk of poverty and social exclusion by 2020. Yet, this seems far less ambitious than OWG target 1.2, of halving the proportion of people in poverty in all its dimensions, which implies lifting 62 million Europeans out of poverty. The EU is not fully on track to deliver on its headline target for poverty in 2020. Achieving the OWG target by 2030 would thus require significant additional effort.

It would be impossible and imprudent to agree on global minimum thresholds for all targets or to pressure all countries to implement the same levels or benchmarks. Different actions and different indicators may be required for interpreting some targets nationally.²⁹ As illustrated by the illustrative case on promoting peaceful and inclusive societies in the EU (annex), the reduction of violence (OWG target 16.1) may mean quite different things in different contexts. For instance, the relevance of various forms of violence, such as homicide, deaths from armed conflict, suicide, sexual violence and youth violence may differ between countries. Within the EU, homicide, violent crime and violence against women may be more pertinent than deaths from armed conflict.

Some proposals have focused on dividing actors into a number of groups to ensure better international comparability and coherence of targets and benchmarks set at the national level. Melamed and Bergh (2014), for example, suggest using “starting point” criteria in each area (e.g., for target 3.2, ending preventable deaths of newborns and children under 5, the starting point would be the current mortality rate of this age group). According to these starting points, countries would be classified into a small number of groups. Each group would then calculate their target level based on historical progress of the group, adding a 10% stretch to stimulate ambition. Others suggest taking the highest rate of progress achieved in the group rather than the average (see Pogge and Rippin 2013). Such a target aims to reflect attainability, as demonstrated by historical progress (and implicitly, effectiveness), balanced with ambition and universality, as this method provides a way to calculate targets for all countries. Powerful domestic interests may challenge ambitious targets, especially in the most sensitive areas, such as inequality and accountable governance. Establishing a common commitment that is comparable across countries – even if in small groups – may be a sensible way forward to achieve a system that balances fairness, ambition and effectiveness in goal achievement. Target levels calculated in this way could provide the basis for further national discussions, to arrive at nationally adapted targets (Melamed and Bergh 2014).

²⁸ Compare the approach to post-2015 goals of Brooks et al., 2013, p.19.

²⁹ For more background see annex .

Box 2: Setting ambitious targets for reducing violence within the EU, for example, by reducing homicide rates

'Homicide rates' has been proposed as one possible indicator for the target of reducing violence in all its forms (OWG 16.1). The degree to which homicide is a challenge in the EU differs across the member states. According to Eurostat, homicide rates vary substantially, from 0.58 in Austria to 7.70 in Lithuania (2008-2010) (Clarke 2013). With this in mind, what could a "significant" reduction mean in the EU context? For countries where homicides are already very low, such as Austria, it may be difficult to reduce these further or to "get to zero". Alternatively, in order to set ambitious targets, countries may choose to base their levels of ambition on historic progress of other, peer countries with similar conditions that have made good progress. Countries with higher rates, for example, could follow the example of Turkey, which succeeded in halving its homicide rate, comparing 2005-2007 figures with those for 2008-2010.

This approach does not, however, account for aspects of capacity, (institutional) capabilities and resources that differ between countries, independent of their starting points on the relevant aspects of the SDGs. A country may further have individual reasons for wanting to deviate from the level of ambition in its group. Additional relevant criteria would therefore have to be taken into account in any given country context.³⁰

There are also interesting discussions on the international human rights framework and its relevance for the new development agenda. Existing human rights mechanisms can provide useful information and examples of best practice for both national implementation of universal commitments and lessons learnt for accountability issues. By drawing on human rights norms and mechanisms the new development framework could strengthen the three dimensions of accountability: responsibility, answerability and enforceability (UNHR, 2013). "Under international human rights law, states are primarily accountable for respecting and protecting the rights of those within their jurisdiction." (UNHR, 2013) Hence, human rights could not only inform our understanding of accountability within the post-2015 agenda but could also help to define what countries should be held accountable for, by when and how. Existing human rights treaty standards and how these relate to existing indicators and information are useful examples, amongst others, of how national implementation and monitoring progress can be done (UNHR, 2013).

Differentiation per actor: Ambition, prioritisation and flexible time scales?

A further question is whether all developing countries can be realistically expected to commit to all national outcome targets at once, given the limited capacities of some. As it now stands, the number of goals (17) and targets (169) is unlikely to be cut. To improve the workability of the post-2015 agenda for weaker countries, it may be worth considering whether they should be given scope to prioritise a smaller number of key targets rather than commit to targets in all areas (Norton and Stuart 2014). All countries would then agree to implement a subset of "core targets", commensurate with national differentiation and allowing flexibility regarding levels of ambition and prioritisation (Gov. of Colombia and Guatemala 2014). Another option is that all countries would aim to implement all targets, yet with more flexible time schedules allowed for certain country groups. Added flexibility would enable them to phase in over time the implementation of targets that are not considered of immediate priority.

There are legitimate concerns that the ambition and universality of the framework would be lost if it becomes one of pick-and-choose, with the result being slower progress towards sustainable development. Prioritisation of targets and more flexibility regarding timing could thus be framed as possible exceptions for countries facing particular challenges in implementing all targets and that lack capacity to work towards all targets simultaneously.

Allowing for prioritisation would also be relevant for targets that have a particular geographic relevance. For example, to set national targets on the conservation of mountain ecosystems (OWG target 15.4) is less

³⁰ One could however consider 'historical progress' and 'starting point' are proxy indicators for capacity. Melamed and Bergh acknowledge that there may be other good reasons why a country could deviate from the ambition set through this method.

relevant for countries without mountains. National or regional prioritisation of the most relevant targets may thus be necessary despite the universal nature of the framework. A solution would be for each country to commit, in a spirit of universality, to protect, restore and promote the sustainable use of the ecosystems that they host and to ensure that their policies do not harm the sustainable use of ecosystems elsewhere. This also has relevance for the sustainable management and use of natural resources, explored further in the illustrative case in the annex.

The post-2015 Data Test initiative is currently exploring data needs for post-2015 implementation and monitoring.³¹ It has examined whether a mix of universal “core” targets and locally-relevant ancillary targets and indicators could work. Based on the seven countries examined (see Quint and Lucas 2014), the teams have expressed cautious optimism, while also commenting on the challenges posed by a “global-national” framing of targets – not dissimilar to those described by the New Deal case discussed earlier.

Differentiation may also take place at the level of the indicators, rather than the targets. This is because many of the OWG targets are not quantified; so the level of ambition will be determined by the benchmark chosen for the indicator. Moreover, the way a target is measured and the indicators considered relevant for tracking progress, as well as the baselines and benchmarks used, might differ. For example, the best mix of indicators to capture a reduction in violence (OWG target 16.1) would depend on the context. It is beyond the scope of this paper to discuss the different methods by which indicators can inform progress towards a target. However, a similar rationale of developing universal “core indicators” and a set of more flexible context-specific ancillary indicators might be applied.³² Differentiating and allowing for flexibility at the indicator level rather than at the target level may also overcome some of the concern about countries “picking and choosing” targets.

Discussions on the post-2015 indicators will be both technically and politically challenging. Effort is being made to ensure strong technical inputs on indicators. Yet, as the New Deal example demonstrates, some dialogue will be warranted at the political level too – especially regarding the choice of the indicators used to compare countries. International scientific discussions are moving in the direction of agreement on no more than 100 “core” indicators that would be monitored in all countries and for which statistical capacity would need to be built. Countries would then select additional relevant indicators stemming from their own national context (SDSN, 2015). Certainly the challenge of ensuring context-relevance and country-specificity extends to the indicators chosen. Countries may feel uneasy to be compared to global indicators, especially if they perceive them as irrelevant in marking progress in their specific context. A good compromise might be to provide a “basket” of technically-sound indicators for each of the post-2015 targets from which countries could choose.

A further obstacle to monitoring and evaluating the SDGs is the cost of data to measure progress towards all indicators relevant to the targets. Jerven (2014) suggests that monitoring the SDGs could cost up to US \$250 billion over 15 years, since new capacities for data gathering and statistical analyses will need to be built. If tracking progress towards some of the targets requires major investments in measurement capacity, those may crowd out capacity for investment in the actual substance of the target. From an effectiveness point of view, this constraint merits consideration in the choosing of targets and indicators and their adaptation to the national level. On the other hand, focusing only on indicators for which data is readily available might undermine ambition. The production and usage of official statistics is inherently political. Deeply-rooted political economy factors may be at play, offering incentives or hindering the development of statistical systems and the emergence of data for measuring progress. In some cases, adoption of specific targets and indicators linked to global accountability may be exactly what is needed to

³¹ An Initiative through which seven country teams assess the quality and availability of country-level data to measure progress on proposed post-2015 goals and inform implementation efforts led by the Centre for Policy Dialogue (www.post2015datatest.com).

³² See SDSN, 2015 for more explanation of differentiation at the level of indicators.

drive progress towards transparent data production and use. Financial and capacity-building assistance will be essential for some countries and could help them overcome data capacity constraints. The UN SG has called for a new innovative financing stream to support this (UN SG 2014: 39). When countries set their national targets, they could also simultaneously assess the cost of measurement and the financial assistance they feel they need to be able to develop systems to track progress on their priority targets. Nonetheless, assistance in capacity-building and technological solutions will not be sufficient. The development of statistical systems and data also depend on incentives and the political context with which to engage (see Krätke and Byiers 2014). Financial assistance will need to be spent in ways that enable and incentivise the development of statistical systems and data needed, which often requires more than mere capacity building (Melamed and Cameron 2015).

Overall, differentiation could allow some flexibility on ambition levels, prioritisations and time schedules, with these elements adapted to country capacities, data constraints and other relevant contextual aspects. In a strict sense, this would depart from the notion of “universality”, by which all targets are relevant and applicable to all countries. Yet, differentiation would probably enhance effectiveness in the end, providing the flexibility needed to help countries adjust the post-2015 agenda to their needs, thereby probably also increasing ownership. Transparency of the process of prioritising and adapting targets will be important, however, as it may determine whether countries perceive differentiation as fair and effective. The post-2015 framework should be a tool that stakeholders can use to hold governments to account and stimulate them to be ambitious. Agreeing on common parameters (such as rules on prioritisation and inclusivity) to guide the implementation of targets at the national level, further discussed in section 5, could stimulate countries to exhibit ambition and not simply avoid targets due to capacity or other context-specific constraints.

Linking types and levels of commitments to availability of resources

This leads to another question: To what extent – if at all – should commitments to national development outcome targets and the efforts to achieve them be linked to the provision of assistance and support to make such progress possible – as has been the case in the SDT example? While responsibility to achieve outcomes clearly lies at the national level, for some countries national targets may be impossible to achieve without support and a beneficial mix of means of implementation. Linking assistance to commitments by poorer countries is not unprecedented, as shown by the application of the CBDR principle in environmental agreements and the SDT provisions governing international trade. Such constructions can be made operational, though in a number of cases they have led to stand-offs with little prospect of producing greater effectiveness. Moreover, while support is surely necessary for some countries, linking countries’ levels of ambition to the resources they are provided could deflect from the fact that it is predominantly a national responsibility to achieve national development outcomes. Indeed, domestic resources will often supply the bulk of the finance needed. In addition, setting ambitions based on what is available could dampen the ambition of targets.

Yet, for some countries, assurance of assistance will be appropriate to ensure they can commit to global common goods, such as reducing greenhouse gas emissions. Lack of assistance would place disproportionately high burdens on many of them, perhaps resulting in fewer resources for other development priorities.

4.2. Differentiation of responsibilities to assist others and contribute to common goods

What responsibilities to share?

Discussions within the OWG on means of implementation (MOIs)³³ have shown that the most contentious issues revolve around responsibilities for assisting others by directly providing financial resources or through international policy and governance reforms, as well as commitments to contribute towards certain global common goods. The universality principle *“opens up a new dimension of shared responsibilities for all countries whether developed, developing or emerging economies”* (EESC 2014). All will have to contribute depending on their circumstances and national contexts. This will test the solidarity among countries and their willingness for collective action (see also ETTG 2014).

The effectiveness of the entire agenda will be dependent on universal action, as well as on sharing the implementation burden and assisting those without sufficient means to achieve ambitious global and national-level targets. Specifically on the issue of financing implementation of the new agenda, the Intergovernmental Committee of Experts on Sustainable Development Financing (ICESDF) points out that *“[the financing] needs are huge and the challenge in meeting them... enormous – but surmountable”* (ICESDF 2014: 7).

Raising the means of implementation will fundamentally include domestic efforts and inward policy coherence. All governments will have to make efforts to mobilise domestic resources and put in place beneficial policies for doing so. Some developing countries, however, will need international assistance to implement the ambitious agenda. Raising own resources and aiming to achieve targets may present inherent policy challenges and trade-offs too, relevant to the principle of PCSD. The ICESDF (ibid.: 22) has pointed out that *“national jurisdictions sometimes compete with other countries, through offers of tax incentives to attract and hold employers”*. This might harm the competing countries by eroding tax bases. Finding solutions or agreeing on how to deal with trade-offs in such situations will require cooperation between the countries concerned. In this, the sovereign right of countries to determine the rules of their national tax regime need to be considered and balanced (ibid.: 22). Integrating mechanisms into the post-2015 accountability framework for assessing how policies may impact on other countries – especially developing countries or a subset thereof, such as fragile or conflict-affected states – would help in finding solutions that promote stronger PCSD.

International assistance and MOI encompass a whole spectrum. Beyond financial aid, MOI includes a variety of forms of international cooperation, as well as policies supportive of international systems that are beneficial for global sustainable development and creation of enabling environments (e.g., related to trade in goods and services, debt relief for certain groups of countries, technology transfer, trade and investment agreements and institutional capacity building).³⁴ Global governance aspects will also need to be addressed, for instance, regarding trade, migration and the global financial system. These should include managing risks and working towards global macroeconomic stability, shifting to sustainable production and consumption patterns and establishing systems to safeguard global peace and security. Countries will be asked to make politically difficult decisions, such as reducing consumption of key non-renewable resources, as the environment poses limits and some planetary boundaries seem to have been passed already.

³³ MOI refers to a wide range of facilities spanning global partnership, international cooperation and financing for sustainable development. For more information on the MOI debate, see Bhattacharya and Ali, 2014.

³⁴ These elements can also be traced to the global partnership as agreed in Monterrey in 2002, in Busan in 2011 and in Mexico in 2014. As explored in the illustrative case on sustainable consumption and production presented in the annex, technology transfer and trade and investment agreements are for example particularly relevant for ensuring SCP patterns by means of reducing waste generation (OWG target 12.5) and achieving sustainable management and efficient use of natural resources (OWG target 12.2).

Part of the discussion needs to be about resources spent on common goods, such as vaccine production and distribution, ocean conservation and climate mitigation as well as peacekeeping. Inevitably, as costs for these increase, questions of competing demands and extra resources will become more intense and the need to find consensus solutions will become more vital.³⁵

The universal agenda requires *“a dual commitment: as a nation to address national problems [based on global ambitions] and as a world to help the poorest nations catch up”* (Pogge and Rippin 2013: 30). This effectively amounts to a system of global redistribution based on solidarity with the weakest and those that need assistance.³⁶ An incentive for poorer countries to risk taking bold steps in post-2015 commitments, at home and on the global stage, despite a lack of capacity and resources, may actually be the *“hope of predictable, additional funds to help them solve country-level challenges”* (Bhattacharya, cited in Quint and Lucas 2014). The differentiation challenge in allocating responsibilities for assisting others will thus include the determination of what countries should provide support and which are eligible for assistance, as well as the type and scale of assistance.

A number of processes are relevant to the debate on the fair distribution of actions and responsibilities. Though the post-2015 negotiations will not resolve all of these questions, inputs on MOI and global partnership are providing opportunities to rethink some of the assumptions underlying current systems. Some of the poorest developing countries, for example, carry the burden of mitigating and adapting to climate change relying on their own national resources. Yet, this may entail considerable opportunity costs to other priority areas of development (Bird 2014). Ideally, a differentiation system would help to set out a clear matrix of responsibilities and tasks for each government, both in assisting other countries and, for recipients of such assistance, in making the best use of support.³⁷ Reaching consensus on a package of financial and non-financial MOI with different commitments from different actors is expected to be one of the most difficult parts of the post-2015 negotiations³⁸ – yet it may also set the scene for the agenda’s level of ambition and, ultimately, its success.³⁹

This implies that at least some countries may want to link the extent of their own commitments – if indirectly – to the acceptance of responsibilities by others.

Any system that differentiates between the extent of countries’ responsibilities would not be starting from a blank slate. Already there are a number of international accords that would have to be taken into account. Any new system for assigning responsibilities to actors and determining recipients and their needs would ideally find ways to scale up existing commitments, while not undermining them. Some of the goals of the post-2015 agenda, such as those related to environmental degradation, may be oriented more along the lines of the way the CBDR principle has evolved over the years, with developed countries being asked to take the lead in providing assistance (e.g., responsibilities for assistance in climate finance lie mainly with Annex II countries, though the agreement reached in Lima moves beyond a strict distinction between Annex I and Annex II states). The formalisation of responsibilities for assistance will be dependent on

³⁵ Kenny and Dykstra (2013) for example suggest spending 10% of total ODA on such global public goods, other than peacekeeping and climate change. This issue however also includes the debate concerning the additional of such finance to current ODA flows – already a hot topic in relation to climate finance and support for other global goods

³⁶ The notion of solidarity typically underlies institutionalised redistribution or taxation mechanisms that are perceived of as fair. Regionally speaking, some institutions such as the EU Commission play a similar role, though with less authority for taxation and redistribution. Closest to this globally is the UN, though it does not have powers to tax and can only seek to persuade countries to contribute in differentiated ways.

³⁷ Whether this is done for each goal and target separately or part of a global partnership goal has been subject to contentious debate in the OWG group.

³⁸ Part of this will take place in the preparations and discussions at the Financing for Sustainable Development Summit in Ethiopia in mid-2015.

³⁹ The group of G77 and China for example have argued that before a goal framework can be agreed, there needs to be sufficient commitment and distributed responsibilities in a resource strategy that supports the implementation of the goal. Having meaningful outcomes of the Financing for Sustainable Development Summit in June may help to agree on and implement ambitious post-2015 goals and targets.

negotiations in fora such as the UNFCCC Climate Summit in 2015.⁴⁰ Other existing commitments include the ODA target of 0.7% of GNI and the commitment to allocate 0.15%-0.2% of GNI as ODA to LDCs (from the Istanbul Programme of Action). Many of these standing commitments have been integrated as targets in the OWG proposal, but strictly speaking they do not satisfy the criteria of universal applicability. They already differentiate, as they single out and specify the responsibility of one group of countries to assist other groups.⁴¹

Criteria to determine levels and types of contributions

Differentiation of actors

On differentiation in assistance to others (our type II target), the traditional OECD donors have in the past called for inclusion of “new” actors, such as new Southern donors, to take greater responsibility for effective development cooperation and global contributions. This was heard, for example, at the first High-Level Meeting on the Global Partnership on Effective Development Cooperation (GPEDC), in Mexico in April 2014 and is reiterated in the EU Commission Communication ‘A Global Partnership for Poverty Eradication and sustainable Development after 2015’ (European Commission, 2015). With the North-South divide breaking up, emerging economies are increasingly active and provide assistance as donors. Yet, emerging powers and new donors have shown less enthusiasm for supporting the GPEDC, arguing that South-South cooperation does not easily fall into the OECD’s pre-set categories. Nevertheless, the challenge of achieving sustainable development will require capitalising on and scaling up all forms of existing cooperation, be it established North-South, emerging South-South or new triangular forms of cooperation.

An aspect to consider is whether clusters of countries, such as the OECD or the EU, would be able to report on resources and assistance that they provide jointly rather than each country committing individually. This is the case, for example, in the joint mobilisation commitment of developed countries to raise US \$100 billion per year, which was decided in 2010 by the Conference of the Parties to the UNFCCC. Another example is reporting on compliance with the Monterrey Consensus whereby the EU agreed to report jointly on the ODA that its member states provided, thereby allowing the lower contributions of new EU member states to be balanced by the higher contributions of others. Joint reporting of assistance to others offers additional flexibility in balancing and further differentiating commitments within a country cluster or regional entity.

The scale of the challenges posed by targets related to global public goods (our type III target), requires action from a *broader set of countries*, as demonstrated by the earlier discussion on climate change. For greater effectiveness, however, some differentiation will have to take place in allocating responsibilities to the different actors. Here differentiation will entail finding flexible sets of country groupings for different issue areas, as well as equity criteria that are sufficiently refined to reflect current realities and fairness criteria but firm enough to establish ambitious commitments. The clearer the differentiation regime is about what relevant groupings of states share certain obligations or receive differentiated treatment for different goals, the easier it will be both for individual parties to comply and for all parties to review compliance together (Deleuil 2012).

Such country groupings could differ according to the issue area concerned. For example, the group of high-income, weapon-exporting countries could commit to rapidly implement the UN Arms Trade Treaty and to reduce irresponsible flows of arms (see illustrative case on violence reduction in the annex). Another group may be those countries accounting for the highest waste production. This group could take a greater responsibility for reducing waste production than countries that produce less. In the area of sustainable consumption and production, emerging economies and transition countries might be more inclined to

⁴⁰ At the 15th session of the Conference of the Parties developed countries committed to jointly mobilise US \$100 billion per year by 2020 from a variety of sources.

⁴¹ Target 13a notes that to implement the UNFCCC commitments, developed country parties must jointly mobilise US \$100 billion annually by 2020, which sets clear responsibilities for developed countries.

increase their focus on sustainable and green production processes that are energy efficient and carbon-emissions neutral. Developed countries, such as the EU member states, will be starting from a different level. They will need to increase resource efficiency, foster recycling and introduce circular economy approaches to establish sustainable production patterns. They will also need to take more action on food waste reduction. If commitments to action are made in country blocks, such as the EU for example, further internal differentiation may be possible to account for capacity and other criteria.

Criteria for differentiation

Country capacity and capabilities matter for the differentiation of responsibilities in providing financial assistance,⁴² in supporting other countries in non-financial ways (target type II) and in contributing to funds for common goods (target type III). Capacity could be measured, for example, by gross domestic product (GDP) as well as additional indicators. The UN budget relies on a scale of assessment to determine what its member must pay.⁴³ The scale of contributions is flexible, as it takes into account changing circumstances. Inspiration could also be drawn from other systems of allocating different shares or costs to different members within a group of countries depending on their wealth or capacities. In this regard, the EU budget allocation key and the criteria for distribution of EU cohesion funds offer useful lessons. The African Union and African regional economic communities similarly have assessment-based contribution systems. These too may be relevant.

Income-based criteria incorporate implicitly the situation countries are in and the scale of their development needs when differentiating responsibilities. Yet, the post-2015 agenda may seek to weigh certain criteria related to contexts of countries more heavily. Middle-income countries, for example, though in the same income category, represent a diverse subset of countries, with greatly diverging poverty challenges. Looking at their respective capabilities to assist others may require consideration of aspects such as inequality and the percentage of people living in poverty within their own borders. Regions of some middle-income countries are just as poor as LDCs (Alkire and Aguilar 2015). Having said that, many of the emerging donors already contribute international development finance despite their own poverty levels. In this sense, there is an emerging continuum of donors rather than a simple donor vs. non-donor distinction.

All countries would be required to integrate all three pillars of sustainability in national policymaking and practices as well as to respect the principle of PCSD in the spirit of universality. However, discussions will need to take place to determine what capacity level thresholds would be relevant in determining those countries that cannot bear additional responsibility for providing assistance to others and cannot contribute funds for global public goods. While the UN scale requires most UN members to contribute something, the Annex I/Annex II distinction of the UNFCCC clearly differentiates contributors and beneficiaries. Using a mix of capabilities and needs criteria could help to produce more refined assignments of responsibilities along a continuum that ensures contributions by all, though commensurate with their national circumstances. The use of equity criteria with moral weight as a goalpost for allocating responsibilities for contributions may encourage countries to commit to specific existing or newly-created funds for global public goods. Finding a continuum along which all share responsibilities and that allows flexibility to shift responsibilities might also help to break up a simple North-South divide.

Regarding allocation of responsibilities for global common goods, relevant criteria depend on the issue area at hand (see also the illustrative cases in the annex). On climate change or sustainable consumption

⁴² This includes ODA and other official financial flows.

⁴³ The UN scale of assessment relies on seven criteria and elements seen as relevant for ability to contribute. These centre on GNI, adjusted for factors such as debt burden, with maximum rates for LDCs. The UN budget has its own difficulties, however, with some member states not paying their assessed contributions on time. This is partly due to some member states in the developing world facing genuine constraints in meeting their assessed level of contribution. Yet, the biggest gap of assessed contributions versus paid stems from some major contributors not meeting their level of obligation. See for example the discussion at the [68th General Assembly on the Financial Health of the UN](#).

and production, the historic responsibility of developed countries to take mitigation action and to institute sustainable consumption patterns may play a relatively large role in the negotiations.⁴⁴ Other actors may play larger roles in potential commitments on trade, migration policy and global governance reform. Capacity and capability aspects, and the right to development, will surely remain crucial from a fairness point of view. Additional factors that will need to be considered as criteria – in accordance with PCSD – are responsibilities borne for certain development challenges, alleviation of certain unfavourable conditions affecting others (in the past, present and future) and the need to open policy space for development of other countries. Box 3 illustrates relevant issues regarding to sustainable consumption and production in the context of the EU.

Box 3: Goal 12: Ensure sustainable consumption and production patterns within the EU

Sustainable consumption and production patterns pose various challenges, implying a spectrum of responsibilities and implications for developed, transition and developing countries. Target 12.2 – to achieve sustainable management and efficient use of natural resources by 2030 – and target 12.5 – to substantially reduce waste generation through prevention, reduction, recycling and reuse by 2030 – are of universal relevance given the increasingly inequitable global resource use and its uneven impact on different types of countries. Implications for different countries are dependent on context and may be based on technological and production capacities, their starting points in terms of consumption levels and their demand for natural resources and/or the historical evolution of behavioural consumption changes, amongst others. For a “generic” EU member state, sustainable consumption and production would mainly “impl[y] shifting towards more resource- and energy-efficient economies and more emphasis on adopting sustainable lifestyles that reduce overconsumption”.⁴⁵ Yet, countries with a strong technology-based economy, such as the Nordic countries, the UK, France and Germany, have better means to increase resource efficiency and upgrade technology than countries such as Romania or Bulgaria.

If the PCSD criterion is followed, those countries with policies in place that have hindered or are restricting other countries from pursuing sustainable development pathways should take responsibility for this and alter their policies. One example relates to the issue of global governance. Developing countries have long pointed to the need for more policy space and enabling environments at the global level. Transforming the global financial system to provide an enabling environment for all countries, including enhancing the representation of developing countries in global international economic and financial institutions, for example, would put greater responsibility on countries that have hitherto blocked reforms and resisted calls to alter their policy positions. This is a key concern for some emerging and developing economies, as they do not view the current system as fair.⁴⁶ A similar argument can be made for trade: bilateral treaties, such as TTIP, should allow for the commitment to establish a “*universal, rule-based, open, non-discriminatory and equitable multilateral trading system*” as proposed by the OWG (see DIE 2014). Regarding the environment, high consumer demand in rich countries is one of the main causes of overfishing, which harms food security and undermines the livelihoods of millions of people in poor countries (Barder and Talbot 2014). The rich countries here again are most responsible for altering their policies.

Differentiation in types of assistance

The political challenge will involve more than just the determination of which actors bear more or less responsibility for financial or non-financial direct assistance to other countries. Questions will also have to be answered regarding the type of support that different groups should or can provide. The G77 would like to see OECD countries meet the timetables already set in Monterrey for reaching the ODA target of 0.7% of GNI, in addition to increasing climate finance pledges, making progress on debt relief and providing

⁴⁴ It is here that CBDR in relation to environmental degradation is an agreed principle.

⁴⁵ TST Issues Brief: Sustainable Consumption and Production, including Chemicals and Waste. https://sustainabledevelopment.un.org/content/documents/2296SCP%20Issues%20Brief%20SDG_FINAL.pdf

⁴⁶ The Bretton Woods Conference, which introduced the Bretton Woods Institutions established stronger voting-rights and influence of those that contribute more resources and have more responsibility for providing global financial stability. However as the global economic situation changed over time, and with transition countries being asked to increasingly contribute to global commons, a new ‘fair’ system may also have to include stronger say for those countries in global economic affairs. With the BRICS bank, transition countries have already provided an answer in effectively creating a parallel system that is seen as more fair in their understanding.

better conditions in trade and technology transfer. Given that the demand for ODA is an existing commitment – though one that has proven difficult to implement – one might ask how a new agreement could make these commitments more meaningful and how assistance could be scaled up. One way would be greater involvement of emerging powers in support to other countries as favoured by the EU Commission (EU COM, 2015). An issue here is to determine how the different types of assistance involved in South-South cooperation (SSC) compare with the more traditional forms of ODA.⁴⁷ A system of differentiated responsibilities, for example, could include commitments by developed and capable developing countries to provide finance, technology and capacity-building support to developing countries, but allowing for different ways for this to take place to accommodate SSC, triangular cooperation and other approaches.⁴⁸

Working out the type of assistance that higher-income countries should provide may also depend on a country's value-added in providing one type of assistance over another in a given context. In other words, allocation of responsibilities could consider who is best placed to provide certain types of support to weaker countries. A division of labour between countries would be useful, but would also need to include nongovernmental actors such as the private sector, which could be stimulated via public-private partnerships to contribute resources benefiting sustainable development. This aspect goes back to the issue of matching financial assistance effectively and fairly to recipient countries and sectors, discussed next.

Who should benefit from support? Criteria for determining support beneficiaries

Financial and non-financial assistance aims to create incentives and develop the capabilities of the receiving countries, stimulating them to adopt more ambitious post-2015 commitments. This will make the agenda more effective in the end. In practice, donors' decisions on where ODA is spent are political. Yet, the post-2015 context could incorporate relevant fairness and effectiveness criteria as a basis for decisions on who should benefit from a particular form of assistance. For instance, while low-income countries may need more ODA, middle-income countries may benefit more from assistance supporting them in tapping into domestic resources and in making more optimal use of FDI.⁴⁹

Fairness criteria

An obvious starting point is to allocate resources according to where capacity to raise domestic resources is weakest and the need is greatest – either because of a lack of own resources or due to the magnitude of the challenges.⁵⁰ This is especially pertinent in allocating ODA, as the ICESDF has argued, and would require a higher proportion of spending in lower income countries (Evans 2013: 18). Although countries' needs and their level of progress will usually be specific to the issue area concerned, the OWG proposal and the ICESDF already mention a number of country clusters as deserving special attention: LDCs, small island developing states, land-locked developing countries, countries in Africa and countries emerging from conflict. In these categories of countries, poverty and development challenges are the greatest, though progress has often been minimal. Middle-income countries are increasingly capable of raising their own resources to finance development. Yet, as Evans (ibid.) points out, there may still be good reasons justifying financial assistance to socially excluded groups in middle-income countries. He argues that lower middle-income countries should still be viewed as eligible for international public finance rather than graduating them from assistance too early.⁵¹

⁴⁷ The review of the ODA criteria by the OECD DAC will be relevant in this regard.

⁴⁸ For an example in the area of climate change see Zhang and Qi, 2014, p.24.

⁴⁹ To build functioning tax and redistribution systems is complicated by the fact that in also in middle-income countries, poverty is widespread and 'large numbers of people [...] live[...] only fractionally above the poverty line. ETTG, 2014, p.xx; see also ERD 2015, forthcoming.

⁵⁰ This is also the criteria used by the ICESDF who points out that 'ODA should be focused where needs are greatest and the capacity to raise resources is weakest, including LDCs, SIDs, LLDCs and the poorest in all developing countries', ICESDF, 2014, p.33.

⁵¹ See also Alkire and Aguila, 2015, noting that middle-income countries are home to large populations still living in poverty.

At the same time, because decisions on ODA allocations are highly decentralised and remain largely in the hands of the contributors, it is difficult to imagine how a more purposeful and fairer system of allocation according to agreed criteria could work in practice,⁵² unless more aid is channelled through multilateral structures and less through bilateral assistance. Multilateral aid has advantages and disadvantages,⁵³ but it could promote a fairer allocation of resources to key challenges and countries if its governance and allocation criteria reflect some of the principles discussed in the post-2015 process, and if the beneficiaries' interests – beyond those of the donors – are reflected in the governance of the multilateral financing institutions.

Effectiveness considerations

Assessments of the financial bottlenecks in different sectors and countries, as well as of existing capabilities to fill financing gaps and live up to the tasks already committed to in the post-2015 process, could further help to inform allocations. Financial assistance could then be better targeted to where it can make the greatest difference and where other types of finance, such as FDI, remittances and other private sources are lacking. This is valid both for country categories and for sectors. Melamed and Bergh (2014), for example, suggest that some sectors are naturally more attractive to private sector finance. While the energy sector typically has large financing needs, private finance is more likely to gravitate towards energy than to water, sanitation and food security, where much more public finance will thus be needed.⁵⁴ Melamed and Bergh (ibid.) further point out that a careful assessment of both needs and how different types of finance and other assistance can be applied will be useful in formulating allocation criteria.

The Copenhagen Consensus Centre, seeking to determine the most effective use of financial assistance and aid funds, carried out a cost-benefit analysis of different types of policy interventions, ranking them by their likely effectiveness. The question they ask is “where can money best be spent to do the most good in the world”.⁵⁵ The results have been used to determine which of the proposed SDGs would be most relevant if the aim is to focus on a more limited set of goals. It may be similarly enlightening to conduct cost-benefit analyses in country contexts, to gain insights on which sectors should be prioritised for assistance. However, such cost-benefit analyses are not without risks, as they ignore non-economic and rights-based arguments. Some targets may have intrinsic importance, and support to those may be as warranted as for aspects that are rated more effective in economic terms. As domestic public finance and resource mobilisation will be key for a large number of developing countries, a stronger emphasis on support for building state-society contracts and tax institutions, for example – aspects that may be less measurable in cost-benefit terms – could make a big difference (Evans 2014).

Where efficiency criteria are applied (i.e., where can resources make the most difference), they need to be accompanied by acknowledgement that efficiency will very much depend on the policies that shape the environment in which resources are used. This is valid for policies at the global level, such as the global financial architecture (discussed in the next section), and for policies in countries receiving assistance (see ERD forthcoming). The PCSD principle requires countries to individually and collectively adopt policies that create such beneficial policy contexts. An option here would be to take into account individual countries' policy-development capacities and needs, as well as efforts being made to improve the policy context, when allocating resources. The PCSD principle would then need to be incorporated more firmly in monitoring and accountability mechanisms.

⁵² This is particularly so as there has been a proliferation of actors with varying goals and interests (see Janus et Al., 2014) and pressures of ‘doing more with less’ for donors in financial disarray are increasing.

⁵³ See www.oecd.org/dac/aid-architecture/13_03_18%20Policy%20Briefing%20on%20Multilateral%20Aid.pdf

⁵⁴ Melamed and Bergh, 2014. Yet, though the private sector may invest more naturally in profitable sectors such as energy, it does not mean that investments are fair regarding their geographical distribution. Wilson et Al., 2014 argue that if governments and donors ‘target incentives and policy reform to channel private investment to where it works best’ (p. 3) in the energy sector, they will have more scope to target public finance effectively at the poorest not reached by private sector investment.

⁵⁵ See www.copenhagenconsensus.com/sites/default/files/owg12.cost-benefit-assessment_0.pdf

Efficiency considerations may also be a factor in the policy reforms required to contribute to common goods. There seems to be a large gap between what is necessary to effectively address the SDG challenges and what seems politically feasible for countries to commit to from a national political perspective (see Evans 2014). This has led some to comment that *“member states are keen on universality, but not when it implies significant changes to domestic policy”* (Evans 2014b). Realistically, countries will have limited political capital to spend. Political choices may thus have to be focused on areas where the potential benefit is greatest. This logic echoes the principle of effectiveness in the sense that resources, which are politically difficult to mobilise, should be deployed in the areas where probable benefits are greatest (Melamed and Bergh 2014). For example, climate is an area where *“gains are most significant and the cost of failure most damaging”*; much the same can be said for migration, trade mispricing and illicit financial flows (ibid.).

Ensuring the support of all: Political considerations

There are further challenges with respect to the role of the middle-income countries. Emerging powers such as China, India and Brazil, but also Nigeria, Turkey, Indonesia and Pakistan, have been treated as developing countries in the past. Yet now they are less likely to receive assistance for implementing the post-2015 goals. The call for them to assume greater responsibilities and obligations is growing, as many have become non-DAC (Development Assistance Committee) donors in their own right. Their position so far has been least clear in the post-2015 negotiations. They do appear disinclined to agree to a global development agenda that does not take full account of their approach and from which they do not feel they can benefit. Their support for the agenda is crucial if it is to be a universal one,⁵⁶ so progress has to be made on elements important to them. In this context, the ICESDF (2014: 10) has stated that the *“challenges facing middle-income countries should also be addressed”*. Besides ensuring that differentiation on financial assistance may include lower middle-income countries in the list of beneficiaries, other areas of cooperation could be sought with middle-income countries that may be largely excluded from financial assistance. Relevant trade clauses, support for infrastructure facilities, bilateral exchanges on tax information, non-concessional loans, technology and knowledge transfer and other types of cooperation are all reforms relevant to them. Their support for the post-2015 agenda may thus depend on how much they perceive benefits from such additional types of assistance and cooperation. On the other hand, committing to an ambitious and universal agenda that addresses the concerns of all may well be in their own self-interest.

5. Implementation of national target-setting, flexibility, review and follow-up

The previous section discussed some of the key issues involved in selection of “fair” differentiation criteria, as well as types of differentiation that could be envisaged. This section explores a way forward in the process of national adaptation of global targets.

The post-2015 framework is likely to include agreements on targets that apply to all in the same way, as well as more flexible ones for which indicators and baselines will be set in a more autonomous fashion. However, even for the more flexible targets, the process of determining baselines for national targets and ambitions, and linking these to global accountability and monitoring, will be crucial. This is because procedural fairness aspects will weigh heavily in how “fair” the final differentiated targets and ambition levels are perceived to be. Moreover, the process needs to be designed in a way that gives countries

⁵⁶ Given that ¾ of the population lives in middle-income countries.

space for their own target-setting, while incentivising ambition and providing an element of accountability at the regional and global level.

The UN SG synthesis report proposes a possible accountability and monitoring framework encompassing national, regional and global components and including several types of national-level reporting (by government, by national stakeholders and by UN agencies) (UN SG 2014: 40). The report remains vague, however, on differentiation and how universality will be applied in practice through the national target-setting.

Since the framework will be voluntary with no binding or legal commitments⁵⁷, a voluntary review of target-setting and voluntary adoption of common parameters for establishing national targets and commitments could be a way forward to stimulate countries to be ambitious. This would leave the process country-owned and country-led, but would bring in opportunities for standardisation, with a view towards bridging the local, regional and global ambitions. Simultaneously, it could provide an opportunity to link the international ambitions and review process more systematically with national decision-making early on, at the stage of target-setting and benchmarking. Within the EU such coordination on poverty targets can be found, for example, in the EU open method of coordination (Box 4).

Box 4: The EU's differentiation approach to EU target on poverty reduction

The EU established a benchmarking exercise in 2005 called the “open method of coordination”. This is used by EU member states to “support the definition, implementation and evaluation of their social policies and to develop... mutual cooperation” towards eradication of poverty and social exclusion, among other goals. Member states are free to translate EU political targets into their own national targets, in light of their own country contexts and priorities and guided by social statistics gathered by the EU. The EU's source of these statistics is the EU SILC dataset (Statistics on Income and Living Conditions). Using data collected via this instrument, the European Commission monitors progress towards the Europe 2020 targets through the “European Semester” (an annual cycle of macroeconomic, budgetary and structural policy coordination) and provides its member states country-specific recommendations for their own national reform programmes.

Many of the considerations and proposals discussed in section 4 could be captured in a set of common parameters and principles written up in the form of guidelines to accompany national target-setting processes. This would constitute a tool that countries could use in prioritising and setting national-level targets, as well as in determining their baselines, benchmarks and levels of ambition. To elaborate such guidelines, however, a number of issues will first have to be clarified:

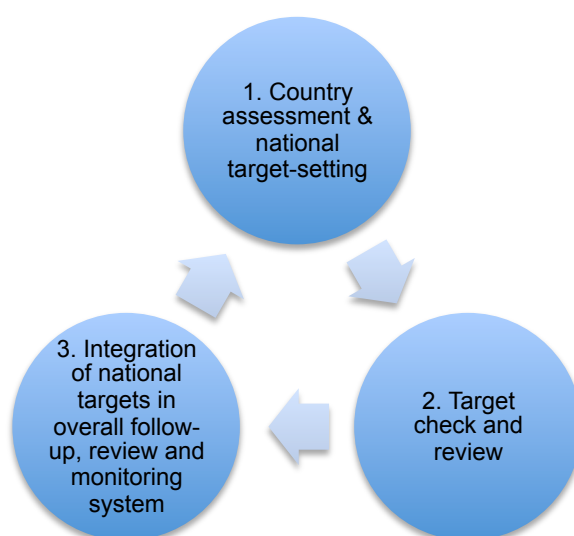
1. The targets for which baselines and (minimum) standards will be set at the global level and that apply universally without further national differentiation; or alternatively, whether all targets will allow national differentiation;
2. How the process will deal with targets that are more relevant to a subset of countries (e.g., due to geography or ecosystems) and the possibility of establishing groups of such targets from which countries could choose, as well as selection rules and criteria;
3. Whether there will be “core” indicators that apply universally (and if so, which ones) as well as a basket of indicators for each of the targets from which a country could select a few; or instead, whether the selection of indicators will follow an entirely national process, taking local circumstances into account;
4. The details of a roadmap for the forthcoming international discussions on means of implementation and shared responsibilities for common goods, and how the outcomes of these discussions will feed into target-setting and benchmarking for national objectives.

⁵⁷ Some of the targets that are related or aligned to human rights treaties however may evoke a legal dimension through the specific existing international treaty obligation (UNHR, 2013).

The guidelines for determining national development objectives (type I targets) could offer a menu of options and criteria for how, and on what basis, baselines and benchmarks could be set nationally (see section 1.4). Relevant international organisations and the UN statistics division could provide inputs for this tool. A country still might choose to deviate from the proposed methods for its own reasons, but some countries or groups of countries would likely opt to follow them to enhance comparability of levels of ambition. For type II and type III targets, referring to assistance to others and shared effort towards common goods, countries would be encouraged to propose ambitious contributions, which would then become part of the means of implementation discussions and also be incorporated into the target-setting review process explored below.

A process of setting national targets could start the implementation of the post-2015 framework and include several elements (Figure 3).

Figure 3: A possible review process for national post-2015 target-setting



5.1. Element 1: Country assessment and national target-setting

National-level discourse and target-setting

The first element, country assessment and national target-setting, would begin with the collection of relevant information. This would also involve an assessment of the statistical information available related to targets and indicators, as well as prioritisation of targets and the setting of initial baselines and benchmarks. The assessment would consider information on all national circumstances relevant to the target area concerned, such as current level of progress, implementation in the past, capacities and other aspects that might provide insight on the criteria applied to determine baselines – inspired by the global level of ambition.

For purposes of procedural fairness a transparent process is warranted – one that is open to integrating the views of a variety of stakeholders, operationalising inclusiveness and the spirit of universality, as well as “leaving no one behind” in the post-2015 agenda. Processes of adapting targets to national and local-level circumstances – at least for those targets that allow flexibility and where indicators can be chosen in

accordance with the context – would ideally be receptive to and inclusive of views from academia, think tanks, civil society and the private sector.⁵⁸

If the aim is meaningful and measurable target-setting that respects the cross-cutting nature of the agenda, relevant government units will need to be involved. This would also promote buy-in for implementation. At present, line ministries do not always communicate well with one another.⁵⁹ At this stage, governments may need to be encouraged to enhance coordination among the entities that will be active in implementing the post-2015 framework. Whether the post-2015 agenda itself, or a possible review process of nationally-adapted targets and indicators, will create sufficient incentive for this coordination to be achieved is uncertain. Regardless, whole-of government approaches will be called for, with PCSD one of their aims. Instituting a process of reviewing targets and indicators could offer reputational incentives, if the review considers the extent to which inclusive and coordinated approaches were used in selecting the indicators.

Consistency

Part of the reason for establishing a review process is to ensure a degree of “streamlined consistency” across countries, for example, in the measurement of indicators.⁶⁰ It is thus important at this early stage for governments and national statistics offices to liaise with UN agencies and other organisations that may have an international reporting or oversight role for the post-2015 framework (Brooks et al. 2013). It would be at the discretion of each individual country to decide what method to use for target-setting, at least for those targets that are not applied in the same way everywhere. Countries would also be the ones to determine what specific criteria they will base their decisions on. Nonetheless, a clear set of guidelines could provide support and offer options of methodologies that could be useful for arriving at ambitious targets.

Individual assessments of gaps in finance and other means of implementation will also be crucial at this stage, as well as data needs for measuring progress towards the level of ambition that a country aims to set for itself. For countries that have weaker capacities and require aid, supporting national ambitions will be key. Prioritisation will be called for if support is limited. More ambitious targets may only be possible with time. To fill data gaps, national statistics offices could work with the relevant international or regional organisations, while concurrent deliberations are finalised on pooled funding options, matched to where the needs are. The available means and data could be an influential factor in setting levels of ambition and targets; however, ambitious aims could also stimulate development of new ways of improving data collection and resource mobilisation – whether external or domestic.

Subsequent to the national target-setting process, each country would publish its national targets and chosen indicators. Since transparency is one of the cornerstones of the post-2015 framework, and to ensure accountability, each government could be encouraged to provide justifications for their level of ambition and contributions to the global framework, as well as for other specifics, such as decisions to prioritise targets.⁶¹ Some of the fairness principles discussed earlier may come into play here. In order to

⁵⁸ This may not happen overnight given that ‘responsive, inclusive, participatory and representative decision-making at all levels’ in itself is part of the agenda and to be achieved in the 2030 timeframe (see OWG target 16.7). However dialogues and the engagement of both think tanks and civil society actors are already on-going in some countries and should thus continue to be part of the national discussions when implementing the post-2015 framework.

⁵⁹ The poor communication among ministries of ‘foreign affairs, line ministries, and national statistical offices’ has for example been a concerning factor in the engagement of Southern Think Tanks testing available post-2015 data. See Quint and Lucas, 2014. (The Power and Potential of Southern Think Tanks).

⁶⁰ This is not to say that all countries will have standardised statistics. The inherent political character will have to be acknowledged. While comparability of data is needed to a certain extent – standardisation of official statistics may be encourage undesirable responses. See Krätke and Byiers, 2014.

⁶¹ New data visualisation tools, such as for example the ‘Equity Explorer’ that aims to inform equity discussions in the international climate negotiations could help inform as well as visualise decisions allowing for better comparability of choices and thus accountability. This tool allows selecting various equity criteria and indicators in order to view implications for responsibilities and actions for different countries. Similar tools could be built for other thematic area

increase understanding of the choices made, reporting could include explicit justifications why particular fairness or effectiveness criteria were relied upon in arriving at national commitments. This would be especially important if a country deviates from criteria or differentiation methodologies that are part of the common guidelines – such as the method described in section 4 of calculating baselines according to starting points and progress in comparable countries. If provisions allow a group of weaker countries to focus on a subset of targets, those countries would also register their choices. This would leave the respective parties in the driving seat; yet introduce elements that help ensure that countries are inspired by global ambitions.

5.2. Element 2: Target check and review

The second element, a target check and review, would bring national stakeholders together with those from the regional level and perhaps also the global level. Though the idea of peer reviews is quite widely supported (Conzelmann 2014), they should not be seen as an automatic panacea for ambitious, effective and fair target-setting. Peer reviews do not always deliver on their stated objectives (Gerasimchuk 2013), and they do not always achieve the necessary authority, as witnessed, for instance, in the “European Semester” evaluations for strengthened EU macroeconomic policy coordination (Conzelmann 2014). Nonetheless, peer reviews have become increasingly instrumental in monitoring agreements in international fora, and they have become an integral part of operationalising “soft law”.⁶²

Research suggests that the effectiveness of peer reviews depends on two aspects that are not easily reconcilable: (i) the exercise of control, oversight and accountability and (ii) the degree to which trust, collegiality and learning can develop among the peers.⁶³ The institutional design of a peer review would need to consider the objectives of the exercise, which may be to increase transparency or comparability, to learn and share knowledge, to document reform efforts or to generate national momentum and overcome political constraints at home (Porter 2010, Gerasimchuk 2013).

Review and feedback mechanisms may thus differ in scope and procedure and follow different accountability tracks depending on the type of targets being reviewed. In setting targets related to national development outcomes (type I) the procedure could take the form of a lighter peer review process that focuses mainly on mutual learning and trust. Targets for distributing collective responsibilities for common goods may require joint processes, more comprehensive negotiations and accountability at the international level. Type II and type III targets will thus require discussions on “*the aggregate effect of targets across countries*” in distributing effort and ambition (Brookes et al. 2013). For these, a greater degree of formality may be required, for example, via international negotiations, albeit without jeopardising the necessary trust.

On thematic national targets for countries’ own development outcomes (type I), a review of the stated levels of ambition and justifications could be conducted by a group of countries with a similar starting point or reform circumstances or that may qualify as “peers” in another way. This would be in line with the possible methodology of taking similar characteristics into account when choosing baselines and setting

so to facilitate national target setting according to various equity criteria, while providing the public with means to assess national levels of ambition. The ‘Equity Explorer’ developed by the World Resources Institute is currently a beta-version that will be further tested and refined. See <http://cait2.wri.org/equity/>

⁶² (see Pagani, 2002; GSI and IISD, 2014, p.4) The OECD uses peer reviews in the fields of economics, environmental and development policy as well as corruption control. The World Trade Organisation has established its Trade Policy Review Mechanism (TPRM) since 1989. The European Union equally uses peer review processes, which it calls Open Method of Coordination. More recently peer review mechanisms have been established by the United Nations Human Rights Council with its Universal Periodic Review on human rights as well as by the African Union with its African Peer Review Mechanism (APRM) and those of the G20 Mutual Assessment Process mandated by the Financial Stability Board.

⁶³ These two aspects are influenced, in turn, by how “codified” or strict the review procedures are – whether the focus is on “hard law” or “coordinated unilateralism” – as well as the size of the groups and the homogeneity of the peers.

ambition levels. Another option would be to facilitate exchanges between countries that have already successfully addressed particular development challenges and those that have found it more difficult to make progress on these. Forming such review working groups would enhance learning and provide venues for exchanging views on how to overcome political barriers to reform. The political will to mix more developed with less developed countries in specific areas would need to be tested. A risk is that rather than bridging North-South divides and building trust, paternalistic attitudes might arise. Forming groups of countries that are at very similar stages of progress and facing similar challenges, such as the g7+, may be a better option. The g7+ is a self-formed and countries are allowed to opt-in. Self-determination in membership is also a feature of the African Peer Review Mechanism and the Extractive Industries Transparency Initiative (EITI) (this is a grouping that seeks to promote openness and accountability in the management of natural resources). Flexibility in choosing one's own peers may thus be a key consideration in the review of targets and ambitions.

Alternatively, reviews could be done in regional groups,⁶⁴ as trust within regions may be greater due to existing cooperation. Regional groups may also be a preferred forum for discussing individual countries' contributions to common goods and assistance to other countries – especially if global negotiations lead to commitments of regional blocks for these targets rather than individual states, as in the collective EU obligations for reduction of greenhouse gas emissions. Starting from such regional goals, (voluntary) country-level responsibilities and review processes could be established through a process of backward induction. The UN SG report suggests a regional review component and foresees the use of existing regional review mechanisms. Regional bodies could thus play a role in reviewing target-setting and benchmarking for those targets that are handled more flexibly to ensure they are in line with regional and sub-regional needs and represent an ambitious agenda. Yet here again, regional review approaches may do little to overcome North-South divides. This is why novel approaches to peer reviewing, such as the Universal Periodic Review (UPR) under the auspices of the UN Human Rights Council, have sought to break up regional groups.⁶⁵ Reviews could follow a standard set of questions or be more open in nature (McMahon, 2010). They should, however, lead to genuine exchanges and recommendations geared towards enhancing ambition where possible.

Simultaneously, if needed, a more technical advice process could be undertaken by expert groups such as technical advisors, scientific boards and relevant international organisations. These could offer additional technical inputs and expertise for national target-setting and could ensure that other international treaty obligations such as human rights commitments is taken into account (UNHR, 2013). A case in point is the G20 Mutual Assessment Process, which was set up to address impending global imbalances and international economic policy coordination. It has asked the International Monetary Fund (IMF) to provide technical support for its review process. The IMF does not judge the feasibility or effectiveness of individual countries' policies, but reviews submissions collectively against the shared goals of the G20.

The challenging task will be to review the set of national targets as a whole and coordinate among specialist agencies, while providing inputs on different thematic areas and communicating with the country under review. Choosing a lower level of ambition or a longer phasing-in period in one target area may be related to higher ambitions in another. Moreover, countries' capacity constraints and priorities will have to be taken into account. Such a review process could also look at whether planned ways to achieve national development outcomes would undermine progress on other targets, in the spirit of PCSD. For example, it would be undesirable if developed countries reduced their assistance to developing countries or delayed implementing policies that support them, arguing that they first have to address their own domestic poverty problems in line with the universal agenda (Pogge and Rippin 2013). Every country will need to translate

⁶⁴ For example, in the case of sustainable consumption and production (see cases in the annex) this could be an expert group or review panel supervising the circular economy package.

⁶⁵ The UPR includes a Troika, composed of representatives of three states, selected by drawing among members of the Human rights council. The Troika members are from different regional groupings (see McMahon et al., 2013).

the post-2015 goals into their own domestic development strategies without externalising the costs of achieving them, creating negative spillovers or undermining the attainment of global public goods. Similarly, especially in developed countries, the pursuit of domestic goals should not lead to “*giving up on [...] international commitments and support to developing countries*” (Bauer et Al., 2014). A “soft-law” review process will not be able to enforce PCSD. However, procedures could be established for countries affected by negative spillovers of incoherent policies, to document these cases and make their own ambitions and responsibilities conditional on cessation of any substantial negative costs imposed on them.

This could also be the stage at which levels of ambition and the related assessed needs for additional means of implementation and support are matched with available means.

However, there is a risk that such process may become too complex and place an undue burden on countries. Unnecessarily overloading the reporting capacity of countries should be avoided. As demonstrated by the design of the New Deal fragility frameworks, too-complex frameworks and processes that overload countries are unlikely to find political support. Differentiation may even be an option in the level of detail, reporting and disclosure that a review process might entail, depending on national circumstances. Finally, the costs of review processes should be compared with their potential benefits. If the costs are too high, a less formalised and perhaps “messier” process based on less review and international oversight should be accepted.

5.3. Element 3: National reporting, follow-up and flexibility

If a peer review system is implemented, it should be conducted in a spirit of mutual learning and give countries opportunities to engage, to adjust their national targets and reports, and to voice their views. In less formal settings, such reviews are not always made public – yet public availability of peer review recommendations would provide a further accountability tool for national and global stakeholders and could enhance the target-setting process.

The overall result of this process might be an initial report that sets out the chosen national targets, indicators and initiatives that each country has set for itself. These would follow a common structure. They would be registered with and feed into the overarching post-2015 monitoring, accountability and review framework under the umbrella of the UN High-Level Political Forum on Sustainable Development.⁶⁶ Such reports could provide justifications for choices made and differentiation criteria applied as well as a plan for increasing the level of ambition in the future. They could be submitted to a coordination point within the UN structure that would then “*make sense of [them]... in terms of international trends and comparative learning*” (Norton and Stuart 2014). For the UN structure as a whole to govern a system of differentiated responsibilities is a new challenge. Yet, this paper has cited examples and lessons that may further the discussion on how the UN could govern post-2015 differentiation and ensure that it is “fit for purpose”.

It is crucial that national-level targets not be set in stone for the entire timeframe extending to 2030. In particular, the criteria for differential responsibilities and treatment must permit some degree of flexibility and dynamism⁶⁷. This emerges from the fundamental realisation that a model of linear progress towards a given target is not reasonable in a world of uncertainty and shocks (Norton 2014). Moreover, countries face changing circumstances, characterised by progress as well as challenges and set-backs. This requires that provisions allow for shifts in accountability and responsibility.

⁶⁶ While discussions on the design of the accountability, monitoring and review framework and the role of the HLPF after national targets have been set is outside the scope of this paper, the national target setting process and the required flexibility in revising national ambitions is very much linked to the overall review mechanism.

⁶⁷ With the exception of targets that may be related to human rights framework or other international treaty obligations, where flexibility could lead to a compromise of these right standards.

A system could be envisioned with several stages, “*where countries graduate from one stage to another towards more [or less] demanding commitments*” (Honkonen 2009: 181). If their circumstances change, they advance (or fall) to a different level of commitment. Depending on the criteria that are chosen as relevant for differentiation in relation to various goals and targets, an institutionally anchored accountability and monitoring system would contribute to determining when countries should “graduate” towards a different level of ambition. Parties could decide at any time, individually and autonomously to increase their commitments and put forward new commitments. To accommodate this, the overall post-2015 monitoring and accountability framework could integrate a cycle for revising commitments.

On the other hand, countries’ situations might not change in line with predefined criteria that point them towards taking on new or different responsibilities or ambitions. Or, the agreed system might not work because some perceive it as unfair or because it has failed to approach its goals effectively. For these reasons, and likely others as well, it will be important to incorporate monitoring and feedback mechanisms and procedures into the framework, to create a system that is flexible enough to address potential challenges and is open to revision itself.

6. Conclusion

Differentiation of responsibilities and the process of implementing global goals and targets at the national level will be at the heart of the political aspects of the post-2015 framework. Based on lessons learned about differentiation in a number of previous international processes, this paper has outlined some key issues and aspects that the EU and others will need to think about when devising a system of differentiation for the post-2015 context. Such differentiation should allow for flexibility and ownership while retaining a maximum level of global ambition.

We reviewed three approaches to operationalising differentiation: the WTO’s use of SDT provisions, the development of the CBDR principle within the international climate negotiations, and the establishment of nationally-pertinent indicators and priorities within the common framework of the New Deal. These cases provide useful lessons for the post-2015 process. Differentiation needs to be pragmatic and flexible and account for country-level priorities and ownership. There is value in leaving aside some of the strong and ideological connotations of past discussions on differentiation. Fairness principles will have to be applied – whether they relate to capacities, historic and shared responsibilities, effectiveness or other circumstances. Yet, differentiation cannot be static; it must remain open to change and adaptation over time. Countries must be able to take on different commitments and responsibilities if their situation and context change. A certain degree of flexibility and dynamism will thus be key. Ideally, differentiation should establish a continuum of countries with varying levels of responsibility and commitments rather than the too-simplistic division, for example, into the developed and developing categories, which has led to a standoff in the international framework on climate change.

This paper has also reviewed a number of potential criteria and avenues for factoring differentiation into the universal post-2015 agenda. Differentiation could be applied at the level of targets and at the level of indicators. Countries could thus be allowed to choose the level of ambition and benchmarks appropriate for their context and circumstances. They might differ in their choices of indicators, their priorities or the emphasis they choose to give a particular target. A final key aspect in differentiation is flexibility in timeframes and schedules.

Since the framework will be voluntary with no binding or legal commitment, an agreement on common parameters in the form of guidelines for the national process of target-setting, as well as for the voluntary review of the targets chosen, could be a way forward to create incentives for setting challenging targets

and high levels of ambition. To develop these several key aspects will need to be clarified during the coming post-2015 negotiations:

1. The **first** key aspect is *whether all targets will be applicable to all countries*, and if not, what rules or parameters will guide differentiation of countries on the targets that could be chosen for implementation or not (the issue of “core” targets and “core” indicators). As this paper has argued, to ensure workability of the framework, especially if the number of targets remains at 169, weaker countries might be allowed to prioritise a more limited number of targets on which they would initially report progress. To avoid the post-2015 framework becoming a “pick-and-choose-at-will” menu, which would undermine the spirit of universality, the option for selection could be reserved for countries with clear capacity or data constraints, guided by parameters that are perceived as fair justification for lesser ambitions. The option to phase in commitments and reporting obligations should also be considered. This will also be relevant to targets that are not applicable to all countries, for instance, due to geographical factors. Prospects for assistance could create further incentives for committing to an ambitious universal agenda.
2. The **second** key aspect relates to *the level of ambition that countries set for themselves*; that is, the benchmarks and baselines they choose and the process they implement to arrive at these choices. Among the targets framed in terms of “getting-to-zero”, some are described as too ambitious for low-income countries and irrelevant to high-income countries. For other targets, no level of ambition has been set. This paper has outlined existing proposals and discussed possible ways of setting levels of effort that are appropriate to contextual factors while stimulating ambition. Target-setting and benchmarking should be based on criteria such as starting points, capacity and capabilities, alongside other relevant factors. If a common approach is sought to guide countries in setting their levels of ambition, sufficient flexibility must be ensured so that these levels may evolve over the course of the post-2015 framework and be revised.
3. A **third** key aspect is that given the scale of the challenges and the ambition of the new framework, *support will be necessary for some countries to implement the post-2015 agenda*. In this respect an important question is what flexibilities may certain countries make use of, such as prioritisation of targets and levels of ambition or flexible time scales – while avoiding a pick-and choose attitude. Though countries should seek to raise their own resources, availability of external assistance may be a factor for some in determining what is feasible to implement. Assistance will be necessary so that countries are not set up for failure. Without additional external assistance, obligations to contribute to global public goods may place disproportionately heavy burdens on the weakest developing countries, leaving them unable to finance their own development priorities. Differentiation – allowing for more elasticity in ambition levels, prioritisation of targets and flexibility of time schedules – certainly departs from the notion of “universality”, by which all targets are relevant and applicable to all countries. Nonetheless, it could enhance the effectiveness of the system overall, providing incentives as well as fostering ownership. This is why it is essential to plan how to integrate and link the post-2015 negotiations with the discussions on financing and other means of implementation that will take place, for example, at the Third International Conference on Financing for Development in July 2015.

One of the most contentious issues will be differentiation of responsibilities for assisting others and for contributing to global public goods. The principle of universality opens a new dimension of shared responsibility spanning all countries, from developing to emerging and developed. Differentiation will require finer distinctions than a simple dichotomy between developed and developing countries. A broad range countries and actors will be called to action. Their contributions will be determined by equity criteria, such as capacity; development level; own development challenges; and historic, current and future association with the various thematic issue areas addressed in the post-2015 framework.

A mix of criteria will be important. Any overly simple or rigid division of countries into blocks of developed or developing nations would bypass the diversity in capacities, contexts and challenges, which influences how much responsibility a country should fairly take. The use of criteria may differ according to the issue area and lead to a continuum of responsibilities for each country. Ideally, a differentiation system would produce a clear matrix of responsibilities, tasks and commitments for each government in assisting other countries and contributing to global common goods. Such a system would, however, need to accommodate different types of support and assistance, accommodating South-South and triangular forms of cooperation.

The criterion of PCSD can help to determine which countries should take increased action for some of the areas highlighted by the goal on Global Partnerships and Means of Implementation (e.g. OWG Goal 17). Those countries that have in place policies hindering or restricting other countries from pursuing sustainable development or that undermine goals in another way will need to bear greater responsibility for implementing remedial policies and actions. This will require negotiations and agreement on what concretely these actions are that need changing. Committing to responsibilities requires changing domestic policies in ways that may be resisted by domestic constituencies. It has been pointed out that priority could be placed on expending political capital in areas where potential gains are greatest.

This paper has sketched a process of operationalising national target-setting on global goals. This process should be designed in a way that gives countries space for their own target-setting while incentivising ambition and providing an element of accountability at the global level. Since the framework will be voluntary, without binding or legal commitments, a voluntary review of targets and ambitions could be a way forward. This would leave the process country-owned and country-led, while introducing opportunities to bridge local, regional and global ambitions. Reviews would also need to be linked to the overall follow-up, monitoring and review mechanism currently under discussion. Discussion and agreement on the key issues to be resolved regarding differentiation could be incorporated into common guidelines setting out parameters and principles for the target-setting process. Decisions on potential “core” targets or “core” indicators could also be captured in these guidelines. Through that process, countries would assess their needs for assistance and data, and liaise with relevant organisations that have an overview of the global monitoring of the post-2015 agenda. Countries could be encouraged to report on national targets and indicators, highlighting justifications for choices made, differentiation criteria applied and plans for increasing levels of ambition in the future. Ambitions, targets and timelines could be submitted for peer review. The organisation of peer groups and review modalities warrants further discussion, but could include the option of reviews conducted by peers with similar conditions and starting points but in different positions geographically. However, such a process could easily become too complex, placing a too-heavy burden on certain countries. The costs of review processes for enhanced accountability may ultimately prove too high. In that case, a less controlled, less formalised and “messier” process should be accepted, based on less review and more international oversight. Allowing for flexibility over time will remain an important precept of the overall monitoring and accountability framework. Different responsibilities and treatment should not be set in stone; rather, there should be possibilities for modifications as countries’ circumstances change, in the face of progress as well as set-backs.

Many of these questions will be the subject of discussions in the course of 2015, during which the post-2015 framework will take shape. Many more challenges will arise during implementation. This paper cannot provide answers to all of the issues raised. Its contribution, instead, is to review some of the challenges in differentiation and propose ways these could be tackled, so that differentiation in a post-2015 framework is both fair and effective.

Resolving the challenge of universality and differentiation in the post-2015 context will be a key issue in the coming months. In the pursuit of an adequate differentiation framework, a fundamental task for states will be to seek to understand each other’s principles of fairness, to engage and to find compromises. The new

element of universality in the development agenda requires a shift of mind-set by *everyone*. To contribute constructively to these discussions it is therefore also valuable for each country to explore what universality implies at home.

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Annex: Illustrative cases

The following illustrative cases discuss differentiation and differentiated responsibilities within the context of the EU and EU member states in relation to selected targets under the SDG thematic areas “economic transformation”, “peaceful societies” and “poverty reduction”. These areas were selected in part because of their close relation to the economic, environmental and social domains, which are the three dimensions of sustainable development. The cases are not intended to exhaustively cover implementation of the goals and targets in these areas. Rather, they selectively highlight some of the issues involved in translating global SDG commitments to national and regional contexts, in this case in the EU.

Each case focuses on one or a limited set of targets and explores their implications for national or EU processes of target-setting.⁶⁸ Adapting targets to the regional or national level may require consideration of conditions specific to the EU or its member states. It may also involve an assessment of (i) whether national or regional development strategies and legislation already cover the targeted areas; (ii) where gaps in legislation, policies or actions exist – either at the EU or at the member-state level; (iii) and whether there are global norms that could be used as a goalpost to determine appropriate levels of ambition. A further question that may be considered is how might actors be incentivised to raise their levels of ambition if this becomes necessary to achieve the full post-2015 agenda. A last consideration is data availability and existing indicators for measuring progress, as more data may need to be gathered.

1. OWG target 1.2: Reducing poverty by at least half by 2030

This case focuses on OWG target 1.2: *“By 2030 reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions”*. Since the agenda is universal, this target has implications for efforts within the EU to reduce poverty “at home” as well as for EU responsibilities to contribute to global poverty reduction.

The EU Council Conclusions of December 2014, *“A Transformative Post-2015 Agenda”*, emphasise that *“all countries have common challenges and opportunities”* and that *“the EU and its Member States recognise that universality will require commitment from all”*. In this context, *“the post-2015 agenda should be reflected in the internal and external policies of the Member States and of the EU, including... the Europe 2020 strategy and related policies”*. This sentence clearly refers to the EU’s responsibility to assist others in achieving poverty reduction and its global commitment to contribute to common goods towards sustainable progress for all (target types II and III, section 2.1).

Indeed, the EU is strongly committed to poverty reduction worldwide. The Lisbon Treaty asserts that EU external action is to be guided by the principles that inspired its own creation, namely, social justice and protection, solidarity, and economic, social and territorial cohesion. The primary objective of EU development cooperation is reduction and, in the long run, eradication of poverty.⁶⁹ The EU together with its member states is the largest contributor of ODA. In 2013, EU aid amounted to 52% of total global ODA that year.⁷⁰ The policy guiding the EU’s programming of its development aid, *“Agenda for Change”*, commits the EU to devote aid to those countries where the needs are greatest, particularly LDCs and fragile countries. Disseminating the EU’s welfare model is one of the key drivers of the European Foreign Security Strategy (2003),⁷¹ which aims for *“a world seen as offering justice and opportunity for everyone*

⁶⁸ This would correspond to stage 1 of the national target-setting process outlined in section 5.1 of the main paper.

⁶⁹ Lisbon Treaty. See full text at http://europa.eu/lisbon_treaty/full_text/

⁷⁰ http://europa.eu/pol/pdf/flipbook/en/development_cooperation_en.pdf

⁷¹ www.europeangeostrategy.org/2014/02/strategy-social-security/

(which) will be more secure for the EU and its citizens". Finally, the EU's newly created Partnership Instrument (designed to support the EU's new approach towards its strategic partners) offers opportunities for the EU to ensure that inequality, social justice and poverty eradication feature systematically in political dialogue, trade and investment deals and knowledge-sharing with middle-income countries (ETTg 2014: chp. 4).

But what does "universality" mean with regard to poverty reduction within the EU, according to the proposed OWG target?

The EU remains the world's model on low inequality and social protection. The EU's half a billion citizens enjoy the highest standards of living on the planet; income inequality in the EU lies below levels in other regions of the world and EU member states spend approximately 25% of their GDP on social protection, compared to the world average of 14%, accounting for some 40 per cent of the world's public social protection expenditure (ibid.). Generally speaking, all EU member states have well-developed social security systems, albeit countries do differ in terms of equity and efficiency (ibid.). The Charter of Fundamental Rights,⁷² which recognises, among others, the right to social and housing assistance to ensure a decent existence for all who lack sufficient resources, became legally binding with the signing of the Lisbon Treaty in December 2009.

The signing of the Single European Act in 1986, furthermore, commits the EU to "*reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions, including rural areas*". Specific instruments for pursuing this objective are in place: the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the Cohesion Fund. These have produced impressive results.⁷³ The World Bank has called the EU "a convergence machine"⁷⁴ in supporting poor countries' transition to a high-income economy (Indermitt and Martin 2012). The EU is thus a group of states that not only has internal policy on poverty reduction but also is willing, to some extent, to commit to mutual support at the regional level, though as the euro crisis has shown unresolved friction and limits to the group's solidarity remain.

Below, we discuss how the OWG target fits into the current EU policy framework and current economic climate, and what post-2015 universality versus differentiation means with regard to poverty reduction within the EU.

The Europe 2020 poverty target

EU's strategy for smart, sustainable and inclusive growth – *Europe 2020* launched in 2010 – aims at "*a high-employment economy, delivering economic, social, and territorial cohesion*" in which "*benefits of growth and jobs are widely shared*". It contains a "headline" political target to lift 20 million people out of the risk of poverty and social exclusion⁷⁵ (this target corresponds to a situation in which 96.4 million people would be at risk of poverty and social exclusion in 2020). Europe 2020 includes other key social targets as well, such as increasing employment and reducing early school leaving. It also presents seven flagship initiatives, including the Flagship European Platform Against Poverty (EPAP).

⁷² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0389:0403:en:PDF>

⁷³ For example, between 1995 and 2005, Greece reduced the gap with the rest of the EU-27, moving from 74% to reach 88% of the EU's average gross domestic product per head. By that same year, Spain had moved from 91% to 102%, and Ireland reached 145% of the EU average starting from 102%. The relevance of the EU's cohesion policy has further increased with recent enlargements (see ETTg 2014: chp. 4; on figures see InfoRegio 2008).

⁷⁴ Indermitt, G. and Martin, R. : « Golden Growth : Restoring the lustre of the European Economic Model », World Bank, 2012.

⁷⁵ The AROPE indicator (abbreviation for "At risk of poverty or social exclusion" refers to people in one of the the following situations: at risk of financial poverty, severely materially deprived or living in jobless households.

The EU measures poverty using the AROPE indicator (an abbreviation for “at risk of poverty or social exclusion”). This is a relative definition of poverty, accompanied by the epithet “risk of” and linked to the concept of “social exclusion” (Decancq et. al. 2013, p. 3). The AROPE indicator refers to people in any of three situations:

- at risk of financial poverty (their family income is below a poverty threshold fixed as 60% of the country’s income median);
- severely materially deprived;
- living in a household with low work intensity (joblessness).

As stated by former European Commissioner Lazlo Andor in October 2014, *“While the coexistence of three indicators that measure the poverty reduction progress is not the best solution, it is the politically accepted compromise today.”*⁷⁶

Translation of common objectives into national targets: The EU’s differentiation approach to the poverty reduction target

The EU established a benchmarking exercise in 2005 called the open method of coordination (OMC).⁷⁷ Member states use this method to *“support the definition, implementation and evaluation of their social policies and to develop their mutual cooperation”*⁷⁸ towards eradication of poverty and social exclusion, guaranteeing adequate and sustainable pension systems, and providing accessible, high-quality and sustainable health care and long-term care.

Member states are free to translate the EU political target into their own national targets, on the basis of their different country contexts and priorities (Decancq et al. 2013). The European Commission monitors progress toward the 2020 target using available data on social protection and social inclusion gathered via the EU SILC dataset (Statistics on Income and Living Conditions), which provides measures of income and living conditions. The monitoring framework, the so-called “European Semester”, is an annual cycle of macroeconomic, budgetary and structural policy coordination.⁷⁹ The European Semester provides member states with country-specific recommendations for their national reform programmes.

Limited progress on the Europe 2020 poverty target

Though only four years have elapsed since the launch of Europe 2020, the EU’s headline target on poverty already seems out of reach. Recent EU-SILC data show that 24.8% of the population in the EU-28 was at risk of poverty or social exclusion in 2012.⁸⁰ *“The number of people at risk of poverty and social exclusion in the EU increased from 114 million in 2009 to 124 million in 2012”*.⁸¹ There are also new risk groups, including youths (severely hit by unemployment) and children, single parents, the long-term unemployed, the homeless, migrants and asylum seekers and Roma.⁸²

⁷⁶ http://europa.eu/rapid/press-release_SPEECH-14-672_fr.htm

⁷⁷ Common objectives are set at the EU level and are to be achieved by national policies, and monitored through robust and comparable indicators. Under this intergovernmental method, MS are evaluated by one another, with the EC ensuring a role of benchmark surveillance and exchange of best practices.

⁷⁸ http://europa.eu/legislation_summaries/employment_and_social_policy/social_inclusion_fight_against_poverty/em0011_en.htm

⁷⁹ www.easdp.eu/sites/default/files/sites/default/files/Policy/ES/easdp_toolkit_en.pdf

⁸⁰ Other relevant statistics are the following: 17% is at risk of income poverty (after social transfers); 9.9 % is severely materially deprived; and 10.3% lives in households with very low work intensity. See http://ec.europa.eu/eurostat/statistics-explained/index.php/People_at_risk_of_poverty_or_social_exclusion

⁸¹ COM (2014) 130 final/2 « Taking stock of the Europe 2020 strategy for smart, sustainable and inclusive growth ».

⁸² Farrell, F. 2012. Europe 2020: EAPN Recommendations and Messages to AGS, Is Europe 2020 Delivering on Poverty ?

This dramatic social crisis situation is a function of the EU's unprecedented economic and fiscal crisis and the associated imposition of harsh austerity programmes on Troika economies (Farell 2012). These latter, in particular, have fuelled a rise of unemployment rates, deteriorating labour conditions, drastic wage cuts and major cutbacks in social budgets (Dauderstadt and Hillebrand 2013). Income support has become subject to increased conditionality, while costs of living have risen (e.g., energy, housing, food), and regressive taxation and increased privatisation have been implemented without assessing their impact on lower incomes (Frazer 2012). Indeed, most national reform programmes have been dominated by austerity measures rather than social inclusion, and the majority of country-specific recommendations have focused on macroeconomic governance and fiscal stability, undermining inclusive recovery, poverty targets and delivery on country-specific recommendations in social domains (Jones 2012).

The crisis has not affected all member states equally, or with the same intensity, thereby exacerbating intra-EU differences.⁸³ Indeed, the AROPE figure for the EU-28, calculated as a weighted average of national results, masks considerable variation between member states, with Bulgaria (49%) and the Netherlands (15%) at the extremes.

Post-2015 implications for poverty reduction in the EU

In fact, the Europe 2020 headline poverty target (to lift 20 million people out of the risk of poverty and social exclusion by 2020) is far less ambitious than the post-2015 target translated to the European context. If the EU were *"by 2030, to reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions"* it would need to lift 62 million people out of poverty! Taking into account the latest projections, the EU-28 AROPE indicator suggests that 100 million people will remain in poverty⁸⁴ in 2020. Given that the aggregated national targets correspond to reducing the number of people at risk of poverty or social exclusion by around 12 million,⁸⁵ it seems highly unrealistic that the EU will be able to meet the OWG by 2030, let alone the Europe 2020 headline target on poverty.

At the same time however, the EU has also a role to play beyond its borders in addressing extreme poverty and supporting developing countries through aid, trade and climate-related frameworks (ETTg, 2014) to achieve poverty reduction goals. As the universal agenda aims to achieve results for all, effective contributions from developed countries will be required beyond their borders. Thus, while the EU will be asked to address internal objectives, it will also need to play a role in tackling chronic poverty, stopping impoverishment and sustaining poverty escapes elsewhere in order to finish the jobs of the MDGs.

In light of the post-2015 discussions and its implementation, the EU will have to review how such external responsibilities can be most effectively met. This will include achieving commitments made in relation to ODA and fostering PCSD through effective systems as well as supporting economic and governance models that are complementary to already existing poverty reduction measures elsewhere. Such external responsibilities and how the EU is implementing them may also be subject to review in the light of the new development agenda – based on lessons learned and evaluations of EU support to tackling poverty in the past and the new demands and poverty understandings of the post-2015 agenda.⁸⁶

⁸³ http://ec.europa.eu/europe2020/pdf/europe2020stocktaking_en.pdf

⁸⁴ See annexes in http://ec.europa.eu/europe2020/pdf/europe2020stocktaking_en.pdf

⁸⁵ See annexes in http://ec.europa.eu/europe2020/pdf/europe2020stocktaking_en.pdf

⁸⁶ For more background on how the EU can support tackling the drivers of poverty and inequality abroad, see ETTg, 2014.

Conclusion

The EU is still regarded as a unique model owing to its welfare policies and citizens' wellbeing, even though this image has been dented by the financial crisis. The post-2015 framework offers the EU *"the chance to promote a world vision based on the values and principles underpinning the Lisbon Treaty and the Europe 2020 strategy, including those derived from the European Social Model"* (ETTg 2014: 63).

However, discussions on the sustainability of European welfare states have become more fervent in the austerity-led euro zone, particularly as the EU has struggled to overcome fiscal, economic and social crisis. The fact that the European social model is based on broad common principles (especially solidarity, equality and social rights) rather than on shared national characteristics and policies has undermined the legitimacy of the model and by extension of European integration itself (Heise and Lierse 2011).

As differences widen among EU member states, the EU itself has become increasingly polarised along a poverty and social exclusion fault line. *"With the economic and financial crisis having hit European countries in different ways since 2008, the EU is considering how far each country is responsible and what kind of solidarity is needed to overcome the challenge"* (Jouen 2012). During Europe's negotiation of the 2014-2020 Multiannual Financial Framework, strong pressure was exerted to reduce EU spending on its cohesion policy. That policy is now strictly aligned with priorities set by Europe 2020, with a focus on sustainable and people-centred growth and governed by stringent conditions: failure to respond to macroeconomic recommendations can lead to funds being suspended. However, Syriza's victory in Greece and Podemos' meteoric rise in Spain have put the EU's austerity dogma in check. Their negotiation of debt relief with Germany and other EU creditor countries could give a new impetus to EU cross-country solidarity in the fight against poverty.

The post-2015 framework (and its related differentiation process) also offers a new opportunity for EU member states to raise their national ambitions with regard to poverty reduction. This is therefore an occasion for member states to strengthen their accountability in delivering on the Europe 2020 poverty target, provided that they can effectively translate national targets into sharp results-oriented poverty reduction policies. The post-2015 framework furthermore offers an opportunity for the EU to devise an overall integrated poverty reduction strategy, which it currently lacks, as noted by the European Anti-Poverty Network.⁸⁷ Effectively sharing the EU's experience and expertise worldwide – in the framework of the post-2015 discussions – could renew faith in the adaptability and value of European social policies and tools for addressing inequality globally (Eichhorst et al. 2010; see also ETTg 2014: chp. 4). The inability of the EU to reverse its own worsening poverty and inequality trends could harm the credibility of EU external action and development policies, particularly in the framework of the post-2015 negotiations and the EU's security strategy worldwide.

⁸⁷ Malgesini, EAPN/Spain : How will the Europe 2020 strategy reduce poverty and inequality ? Seminar and Roundtable debate Friday 3rd Octobe 2014.

2. OWG target 12.2: Achieving sustainable management and efficient use of natural resources by 2030

Economic transformation will play a vital role in the new development agenda. The OWG proposal contains several goals and targets linked directly or indirectly to economic transformation. Among others, it includes the aim to achieve sustained and inclusive economic growth and job creation (goal 8), sustainable industrialisation and resilient infrastructure (goal 9) and sustainable consumption and production (SCP) patterns (goal 12).⁸⁸ Here we focus particularly on goal 12 as an illustrative case, because economic transformation inevitably involves *“achieving a fair sharing of the planet’s resources for the benefit of all”* (Horn-Phathanothai and Fishman 2014: 1).⁸⁹

Promoting SCP and natural resource efficiency within the EU

SCP patterns are integral to economic transformation.⁹⁰ However, they involve different challenges and responsibilities for developed, transition and developing countries. *“Achieving SCP patterns and decoupling socio-economic development from rising resource use and environmental degradation require major changes”* everywhere.⁹¹ First, production systems will have to become more sustainable including major changes in employment patterns and technologies in every country. Second, profound behavioural changes will be required in overall consumption. These demands have different implications for different countries, depending on their local context, technological and production capacities, starting points in terms of consumption levels and demand for natural resources, and the historic evolution of behavioural consumption changes, among others. For the EU, clear benefits could be gained from sustainable reduction of the European environmental footprint in energy production, agriculture, food waste and protein consumption (especially meat and fish) (European Report on Development 2012). For a “generic” EU member state, SCP will therefore mainly imply *“shifting towards more resource- and energy-efficient economies and more emphasis on adopting sustainable lifestyles that reduce overconsumption”*.⁹² Implications for transition and developing countries are quite different. While the SCP concept promotes *“more resource-efficient production processes to lower costs and increase savings for businesses, governments and civil society in all countries”*, it also *“recognises the needs and capabilities of developing countries, as well as the opportunity they have to leapfrog to more resource-efficient, environmentally sound and competitive practices and technologies”*.⁹³

This case focuses on the meaning for the EU and its member states of two targets under OWG goal 12, particularly their adaptation to the national level.

Adapting targets to the national level

OWG target 12.2 – *“by 2030 achieve sustainable management and efficient use of natural resources”* – could be viewed as particularly relevant to the EU as a whole and to all EU member states, given the amount of global resources used in Europe and the uneven impacts this has on different types of countries. This target, in turn, is closely related to target 12.5 – *“by 2030 substantially reduce waste generation through prevention, reduction, recycling, and reuse”* – since waste and recycling play an growing role in sustainable use of natural resources, such as minerals, which are highly important for the EU economy.

⁸⁸ SCP was also mentioned in *Agenda 21* and *The Future We Want*. Rio+20 formulated the “Ten-Year Framework of Programmes on SCP Patterns” (the “10YFP”).

⁸⁹ Horn-Phathanothai, L. & A. Fishman (2014). Addressing sustainable consumption and production in the post-2015 development agenda. Background Paper 5. Independent Research Forum.

⁹⁰ Sustainable consumption and production (SCP) is an attempt to reconcile the increased demand for goods and services to meet basic needs and bring a better quality of life, while minimising the use of natural resources, toxic materials and emissions of waste and pollutants over the life-cycle (ERD 2011/2012).

⁹¹ https://sustainabledevelopment.un.org/content/documents/2296SCP%20Issues%20Brief%20SDG_FINAL.pdf

⁹² https://sustainabledevelopment.un.org/content/documents/2296SCP%20Issues%20Brief%20SDG_FINAL.pdf

⁹³ https://sustainabledevelopment.un.org/content/documents/2296SCP%20Issues%20Brief%20SDG_FINAL.pdf

Circumstances relevant to the target

When adapting the targets to national and regional contexts, the EU and its member states will have to consider any implications the targets might have for their own development objectives as well as for future needs and priorities. In the case of target 12.2, the EU as a whole and individual member states will need to factor in both future dependence on various natural resources and businesses' high demand for these. Moreover, in the spirit of PCSD, part of the equation for implementing the target will have to be responsibilities to assist others to achieve similar aspirations (type II target) and responsibilities to contribute to common goods (type III target).

Working towards the target could also bring economic gains. Upgraded technology, more efficient resource use and increasingly effective waste and pollution management could contribute to more sustainable production patterns. Such developments could be stimulated through pricing and taxation reform, implementation of new standards and reporting requirements, supply-chain management, innovation and technology cooperation (related to the type II target of assisting others). The same is true on the consumption side: consumer behavioural changes could result in savings that increase the capital available for households, businesses and governments to reinvest. This might be achieved through "green" public procurement, appropriate pricing and taxation, better labelling, and awareness campaigns, as well as educational initiatives for better informed producer and consumer decisions (ODI, DIE and ECDPM 2012).

Differentiation requires looking not only at different capacities and starting points of the EU compared to other regions but also at EU member states' different capabilities to deliver. Countries with a strongly technology-based economy, such as the Nordic countries, the UK, France and Germany, have better means to increase resource efficiency and upgrade technology than countries such as Romania and Bulgaria. This needs to be recognised in national levels of target ambition. Moreover, the extent that pricing and taxation measures can be relied upon will depend on a country's taxation and economic structure, thus making these tools highly context-dependent as well.

Following from this, measurement and monitoring will be important aspects of the new agenda. Availability of adequate indicators will play a role in the targets defined within the EU and nationally within member states. Proposals made for indicators for goal 12 include publication of resource-based contracts, a global "food loss indicator", consumption of ozone-depleting substances, aerosol optical depth (SDSN 2014). Taking the example of *consumption of ozone-depleting substances*, figures could help identify appropriate ambition levels for different EU member states, for instance, setting benchmarks to reduce these by a certain percentage.

In close collaboration with organisations such as the Global Compact, the World Business Council for Sustainable Development and the International Integrated Reporting Council, multinational corporations⁹⁴ could be stimulated to publish integrated reports providing insight into their social and environmental impacts. These could facilitate progress towards more sustainable management of natural resources by providing better oversight of revenues, resource deals and contracts, as already promoted by the Extractive Industries Transparency Initiative (EITI).

National and regional development plans and legislation

The EU already has a relevant policy in place regarding sustainable management and efficient use of natural resources – and thus OWG targets 12.2 and 12.5. That is the *Raw Materials Initiative* (RMI) launched in 2008⁹⁵ and further developed in 2011.⁹⁶ RMI has three pillars: (i) access to resources in third countries, (ii) supply of raw materials from European sources and (iii) resource efficiency and recycling.⁹⁷

⁹⁴ That is, companies with revenues above US \$1 billion as proposed by SDSN (2014).

⁹⁵ http://ec.europa.eu/enterprise/sectors/metals-minerals/files/sec_2741_en.pdf

⁹⁶ http://ec.europa.eu/enterprise/policies/raw-materials/files/docs/ces-cmi-091_en.pdf

⁹⁷ http://ec.europa.eu/enterprise/policies/raw-materials/files/docs/ces-cmi-091_en.pdf

National target-setting within EU member states in the context of the post-2015 agenda will likely take into account what has already been implemented through the RMI and what gaps remain, hence requiring further action. Following on the RMI, and in line with the policy's first pillar, an EU-wide trade strategy for raw materials has been put in place. Sustainable supply of raw materials from non-EU countries is to be promoted by means of bilateral and multilateral trade negotiations, by enforcing international trade rules through the WTO and by raising awareness of EU policies related to trade in raw materials. For this, best practices are being developed through bilateral dialogue and in international fora, such as the United Nations Conference on Trade and Development (UNCTAD), the G7 and the G20.⁹⁸ At the national level, the RMI requires that EU member states adopt all necessary legislation to support the policy, so for instance, member states should establish a national minerals policy, backed by adequate national minerals policy indicators. Furthermore, member states must provide regular reports on these indicators, which should then offer *"solid ground for further in-depth enquiries"* and which the EU and member states can *"use to assess the current situation and identify areas for improvement"*.⁹⁹ This indicates a potential way forward for other post-2015 targets: regional communities or blocks might delegate to the national level target-setting for policies and strategies to be adopted to serve the region's objectives.¹⁰⁰

Regarding target 12.5, *"by 2030 substantially reduce waste generation through prevention, reduction, recycling, and reuse"*, a number of EU strategies are already in place associated with pillar three of the RMI. Here, regional and national target-setting could be compared to find an adequate target number to define what *"substantially reduce waste generation"* actually means for EU member states. One of these EU strategies is laid out in the Commission's *"circular economy"* communication,¹⁰¹ which aims at *"boosting recycling and preventing the loss of valuable materials"*. A legislative proposal to review recycling and other waste-related targets in the EU accompanies the circular economy package. This proposal puts forward various targets that could be used as reference points for national target-setting. Reaching the proposed targets and, for example, reducing demand for costly scarce resources would contribute significantly to achieving goal 12. Yet, targets put forward in the circular economy package will need to be sufficiently ambitious and in line with other targets. *"Reduce food waste generation by 30% by 2025"*,¹⁰² for instance, is particularly relevant to EU member states and other developed economies in view of the ubiquitous nature of overconsumption and the need to reduce waste reduction in these parts of the world – more so than perhaps in Africa. Therefore, both target-setting and determination of appropriate levels of ambition will have to be operationalised in country-specific contexts.

These strategies are supported by the emerging field of ecodesign, which is analysing a range of *"possible materials-related indicators for use in ecodesign preparatory studies and impact assessments"*. Four parameters have been selected: recyclability benefit rates, recycled content, product lifetime, and a critical raw materials index.¹⁰³ Furthermore, the European Resource Efficiency Platform (EREP) has been set up to provide high-level guidance on the transition to a more resource-efficient economy. For recycling, preparation for the waste target review will be guided by the EU's Seventh Environment Action Programme (EAP) on waste management. EAP data and targets suggest that ten member states are lagging in progress towards EU waste management practices targets. Hence, those targets could be taken as a basis for further ambitious and fair target-setting, once goals, targets and indicators are agreed upon at the global level. Indications of how successful the EU has already been in terms of resource efficiency and the roadmap ahead can be surmised from progress reports on Europe's resource efficiency.¹⁰⁴ These can

⁹⁸ EC. 2014. On the implementation of the Raw Materials Initiative. SWD(2014) 171 final. <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2010457%202014%20ADD%201>

⁹⁹ EC. 2014. On the implementation of the Raw Materials Initiative. SWD(2014) 171 final. <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2010457%202014%20ADD%201>

¹⁰⁰ These of course must also follow the principle of PCSD.

¹⁰¹ EC. 2014. Towards a circular economy: a zero waste programme for Europe. COM(2014) 398 final/2.

¹⁰² <http://ec.europa.eu/environment/circular-economy/>

¹⁰³ EC. 2014. Towards a circular economy: a zero waste programme for Europe. COM(2014) 398 final/2.

¹⁰⁴ EC. 2014. Progress Report on the Roadmap to a Resource Efficient Europe. SWD(2014) 206 final/2. [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014SC0206R\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014SC0206R(01)&from=EN)

further contribute to assessments of whether targets are sufficiently ambitious and if and in what ways monitoring and evaluation should be adapted and changed in order to keep step with global ambitions and the EU's contributions thereto.

Differentiation in responsibilities for support to others and contributions to common goods

Helping others outside of Europe to achieve SCP patterns could take the form of technology transfers, technical assistance and capacity building. Such activities are, in fact, closely related to the means of implementation target under goal 12, target 12.a – “*support developing countries to strengthen their scientific and technological capacity to move towards more sustainable patterns of consumption and production*”. Doing so both assists other countries in implementing SCP and further contributes to common goods, such as clean air, biodiversity and conservation of ecosystems and renewable resources. The EU or a subset of its member states could take a leading role in this target area. Such a spearhead position would allow Europe to combine development objectives with economic diplomacy, since trade and investment flows could benefit the EU private sector. For example, exporting technology, training and know-how to achieve waste reduction, increase resource efficiency and implement more sustainable recycling methods elsewhere could boost European innovation as well. One existing activity in this area is the EITI's provision of technical assistance for greater revenue transparency. To determine adequate benchmarks, the EU could orient itself along existing practices or international targets in the relevant area – if existent. Doing so might furthermore reveal gaps and missing data or indicators that could be used for regional or national target-setting. Financial commitments in relation to goal 12 are another means to fulfil the responsibility to assist others and contribute to global SCP and common goods. This has implications for target-setting under goal 17, again revealing the interconnectedness between goals and targets and the implications of progress in one area for advances in others. Goal 17 specifically refers to technology and “*cooperation on and access to science, technology and innovation*” (17.6) as well as promotion of “*development, transfer, dissemination and diffusion of environmentally sound technologies to developing countries*” (17.7). It therefore encourages developed countries to use existing knowledge and technology to promote, for example, resource efficiency, sustainable production processes and waste reduction not only within the EU but also elsewhere.

3. OWG target 16.1: Promote peaceful and inclusive societies

Developed and higher income regions “*tend to be characterised by lower rates of societal violence*”.¹⁰⁵ According to the 2014 Global Peace Index, Europe is the most “peaceful” region (Institute for Economics and Peace 2014). Nevertheless, the goal of peaceful societies is relevant to Europe, both for national objectives and for Europe's responsibility to assist and contribute to peaceful societies elsewhere. Violence and insecurity are not of exclusive concern to poor countries. While regions with very favourable human development outcomes, such as Europe, show relatively low levels of lethal violence, a variety of forms of violence remain a challenge, including violence against women (Small Arms Survey 2014).

This case focuses on OWG target 16.1, “*significantly reduce all forms of violence and related death everywhere*”. It examines, in particular, the implications of this target for reductions of violence within the EU (type I target). This includes violence against women as a specific form of violence in need of attention within Europe (though gender-based violence is also addressed in OWG target 5.2). This case then briefly

¹⁰⁵ Fearon and Hoeffler, 2014, p.34; http://www.copenhagenconsensus.com/sites/default/files/conflict_assessment_-_hoeffler_and_fearon_0.pdf

explores some of the implications of target 16.4, “by 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime”.

Differentiating and determining levels of ambition

Target 16.1 can be differentiated in several ways to guide EU member states’ own development in this area. First, the most relevant forms of violence and related deaths will vary depending on the given context. Is homicide the greatest concern, or is suicide, sexual violence, youth violence or armed violence more of an issue? Second, countries may differ in the indicators they select to assess whether a target has been met. Third, countries’ levels of ambition will differ. How will the word “significantly” be translated into a national baseline and numeric benchmark (at either the target or the indicator level)?

Homicide rates and violent crime statistics as possible indicators

The Institute for Economics and Peace has put forward two universal indicators – “intentional homicide rate per 100,000”¹⁰⁶ and “direct deaths from armed conflict per 100,000” – as both relevant and statistically feasible for measuring target 16.1 in the post-2015 context. These may, in one form or another, become part of a core indicator framework, if the idea of having “core indicators” is endorsed.¹⁰⁷

Homicide is a concern within the EU, though to differing degrees. According to Eurostat, EU homicide rates¹⁰⁸ varied substantially in the 2008-2010 period from a low of 0.58 in Austria to 7.70 in Lithuania (Clarke 2013), a figure comparable to that of Chad and Uruguay.¹⁰⁹ Overall, homicide rates have been decreasing in Europe since the 2005-2007 period, except in Denmark, Greece and Malta. So, what could “significantly” mean in the context of EU member states? For countries where homicides are already very low, such as Austria, it may be difficult to reduce them further or to “get to zero”, though individual feasible targets could be set. However, countries with higher rates could follow the example of Turkey, which halved its homicide rate comparing the 2005-2007 period with 2008-2010 levels. Alternatively, to set ambitious targets, countries may choose to base their levels of ambition on historic progress made by peer countries with similar conditions that have made good progress.

Violent crime figures are another potential indicator, as they capture a range of forms of violence.¹¹⁰ These have declined in Europe, strongly influenced by a decline in England and Wales. Yet, some countries, such as Hungary and Denmark saw significant rises between 2007 and 2010. Again, one could calculate an ambitious reduction benchmark based on the starting points of countries and progress that countries within similar groups have made in the past.

Monitoring progress on these indicators does present data challenges at the global level. Statistics on violent crimes and homicides are differently registered from country to country. This is true to some extent within Europe too. Unlike other regions, such as North America, Europe does not have a long tradition of studying homicide trends and patterns. Moreover, its lack of standard definitions hamper comparisons across countries (Liem and Priedemore 2011: 3). Applying this target will thus require additional work in gathering and standardising indicator data.

There are of course other context-specific indicators that should be considered for this target, as no single indicator can provide a full picture. Thus, Europe might select several indicators – including those on capacities being built – to measure progress, while creatively thinking about what areas require action to

¹⁰⁶ Others have suggested aggregate indicator of ‘violent deaths’ per 100,000 including homicides, deaths in armed conflict and other forms of lethal violence. The SDSN proposes to measure violent injuries and deaths per 100,000 population. See Leadership Council of the SDSN Network, 2014.

¹⁰⁷ This is not to say that there are a variety of other indicators of violence that should complement the picture.

¹⁰⁸ These are reported fairly consistently with less variation in definition among EU member states.

¹⁰⁹ See UNODC data of 2012, methodological challenges of measuring apply. www.unodc.org/gsh/en/data.html

¹¹⁰ Including violence such as physical assault, robbery (stealing by force or threat of force) and sexual offences

achieve the target both within the EU and globally. For example, radicalisation of Europeans, leading to violent extremism and terrorism, affects the global peace as well as safety within Europe. Action to reduce radicalisation would thus contribute to fulfilling Europe's global responsibility to help promote peaceful societies (type III target).

Violence against women

Violence against women is a specific form of violence that has reached significant levels in Europe.¹¹¹ A report published by the European Agency for Fundamental Rights (FRA 2014: 167) based on a survey about experiences of violence¹¹² among 42,000 women across the EU's 28 member states reveals *"a picture of extensive abuse that affects many women's lives [within the EU], but is systematically under-reported to the authorities"*. According to the report, *"one in three women (33%) has experienced physical and/or sexual violence since the age of 15"* (ibid.). Besides producing an extensive dataset providing country-level details and cross-country comparisons, the report underlines the need for significant efforts to improve the situation, at the EU level and within the member states.

So far, there exist no specific numerical targets or benchmarks within the EU that could be used as starting point for EU target-setting on violence against women. Target 5.2 is formulated as "zero" target, as it aims at complete elimination of all forms of violence against women and girls. In a strict sense, with complete elimination by 2030 as the objective, no specific progress rate or level would need to be set. Yet, across the EU there are differences in the prevalence of violence against women in its different forms,¹¹³ and intermediate progress rates and action plans may be useful to guide individual countries in addressing the most relevant challenges to arrive at the target. For example, according to the survey, about half of the women in Denmark and Finland reported experiencing physical or sexual violence since the age of 15. These countries, accordingly, would need to achieve greater reduction rates than, for example, Austria, which stands at 20%,¹¹⁴ if the target is to be achieved.

Differentiation of policy actions

Differentiation is also relevant in determining what specific policy actions are needed to achieve targets 5.2 and 16.1 within the EU. Yet, some general policies and actions are relevant for all member states. One of the many multidimensional policy actions required to address homicide and other types of violence is the reduction of illicit firearms trafficking within Europe as well as firearms trafficking to and from third countries. This aspect is explicit in target 16.4, which expresses the aim to reduce illicit arms flows. According to the Centre for Strategy and Evaluation Services (2014: i), Europe *"faces a serious illicit firearms trafficking problem"*. Almost half a million lost or stolen firearms remain unaccounted for according to the Schengen Information System (ibid.). This is a significant destabilising factor and is linked to other violent and organised criminal activity both within Europe and globally. Policy action to reduce violence in homes could thus simultaneously contribute to regional and global progress on security aspects. The European Commission is currently exploring joint EU policy actions as well as indicators to monitor the scale and nature of illicit firearms trafficking within Europe. However, legislative and operational gaps are likely to remain an obstacle to effectively responding to the issue. While there is cooperation within the EU, member states' legal frameworks differ significantly, leaving loopholes that criminals exploit. The Centre for Strategy and Evaluation Services (ibid.) has thus recommended that legislation be formulated to make cooperation between member states' agencies obligatory in certain areas and for member states to adopt legally-binding minimum standards to counter illicit arms trade.

¹¹¹ There is however a debate whether "eliminating" violence against women completely is a practical target for the post-2015 agenda.

¹¹² The survey asked women about experiences of physical, sexual and psychological violence, including domestic violence as well as stalking, sexual harassment and the role of new technologies in experiences of abuse.

¹¹³ Physical and sexual violence, psychological partner violence, stalking, sexual harassment, childhood violence, etc.

¹¹⁴ See <http://fra.europa.eu/en/publications-and-resources/data-and-maps/violence-against-women-survey>

On the subject of violence against women, apart from Declaration 19, article 8 of the Treaty on the Functioning of the European Union, which states the aim to combat gender inequalities and all kinds of domestic violence, there is “currently no specific comprehensive legislation addressing violence against women at the EU level” (Centre for Strategy and Evaluation Services 2014: 11).¹¹⁵ There is only the generic legislation of the EU Victim's Directive.¹¹⁶ Following the publication of the survey mentioned earlier, the European Council indicated its concern about the persistence and magnitude of the phenomenon and adopted “Conclusions on Preventing and Combating All Forms of Violence against Women and Girls, including Female Genital Mutilation”.¹¹⁷ In these conclusions, the Council recommends a range of actions to improve women's situation, including an assessment of whether existing instruments at the EU level and within the member states are sufficient and development of clear action plans, programmes and strategies. It further invites member states to sign, ratify and implement the Council of Europe Convention on preventing and combating violence against women and domestic violence. This is “the most recent and the most all-encompassing regional instrument to address violence against women” (FRA 2014: 11). It has been ratified by nine EU member states up till now¹¹⁸. To enforce global targets more strictly at the national level, the EU might seek to make this recommendation binding through a directive. Further inspiration for action might come from the international level, such as the UN conclusions on the elimination and prevention of all forms of violence against women and girls adopted at the 57th session of the Commission on the Status of Women in 2013.

Assistance to other countries and global responsibilities for violence reduction and peaceful and inclusive societies

Assistance to other countries in achieving the targets on violence and peaceful societies requires both direct assistance through international cooperation and assumption of global responsibilities. Contributions will also have to be made to global funds¹¹⁹ and other relevant sources of support for implementing global treaties.¹²⁰ Furthermore, policies and actions that are recognised as driving conflict and undermining peace will have to be altered, in the spirit of PCSD.

Concerning international financial assistance and development cooperation, interventions might specifically target the capacities of countries to prevent violence and combat terrorism, the proliferation of arms and the building of relevant national institutions.¹²¹ One of the proposed indicators for measuring progress in assistance is the percentage to which UN emergency appeals are covered by contributions.¹²² None of the appeals in 2014 were fully matched with funding, implying that ambitions at the international level need to be increased collectively.¹²³ It is difficult to isolate one singular global fund to assess whether the EU and its member states contribute sufficiently – especially since aid is also channelled bilaterally. A country or the EU Commission may choose to provide more means to one global fund than to another or to provide greater amounts in direct bilateral assistance. Nevertheless, aggregate contributions to global funds supporting common goods could be assessed to determine if countries may be able to contribute more according to their capabilities.

¹¹⁵ Yet, the Commission has provided significant funding to projects addressing violence against women in the EU through the Daphne Programme.

¹¹⁶ Directive 2012/29/EU

¹¹⁷ Council of the European Union. 2014.

¹¹⁸ CETS No.: 210, Status as of: 24/2/2015. 22 EU member states have signed the convention and a total of 10 ratifications, including 8 Member States, are required to enter into force. <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=210&CM=1&DF=&CL=ENG>

¹¹⁹ For example, the UN Trust Fund for the Elimination of Violence against Women.

¹²⁰ For example, assistance in implementing the UN Arms Trade Treaty

¹²¹ Recipients of international cooperation in this area would have the responsibility to use it to their best ability in achieving this target. The Sustainable Development Solutions Network has proposed a target to measure financial flows directed towards this area.

¹²² The UN Emergency Appeals aim to raise money to fund responses to emergencies due to conflicts or disasters. See Leadership Council of the SDSN. 2014.

¹²³ See an overview of requests and pledges at <http://fts.unocha.org/>

Certainly all development cooperation and external interventions must be sensitive to issues of conflict and violence, particularly violence against women. Regarding principles of conflict sensitivity, no specific differentiation will be required, as ideally such principles will be practised by all development actors. The European Consensus on Development does not list conflict prevention as a cross-cutting issue. However, a number of EU policies and commitments already provide mechanisms for EU external action and development cooperation to become more effective in preventing conflicts.¹²⁴ The European External Action Service (EEAS) and the European Commission's Directorate-General for International Cooperation and Development (DEVCO) are both working to introduce conflict analysis more systematically in their external action and development cooperation, and they have elaborated joint guidelines – which, however, will need to be referred to and implemented.

International cooperation focusing specifically on building the capacities of partner countries will, of course, differ by donor and country, depending on priorities of both the donor and the partner country. However, some differentiation system could be implemented to assess which European donors have a comparative advantage in building capacities to respond to violence and crime in a given context, for example, through joint aid programming exercises. The EU might build on positive examples of cooperation to help other countries achieve target 16.4. An example here is an EU project with Cambodia that from 1999 to 2006 was largely successful in countering small arms and light weapons (SALW) proliferation (Saferworld 2010). More generally, with regard to political and financing actions, the EU must “*develop and implement a more effective ‘division of labour’ on conflict and fragility globally and in each geographic context*” to achieve more unity of action across EU institutions and member states (ETTG 2014: xviii). Developing countries, for their part, will have to find resources to invest in a “data revolution” to enable measurement of progress in this area. Few less developed countries currently have sufficient data for assessing progress towards goal 16. In order to establish global comparisons, data collection efforts will need to be harmonised. For this, capacity will need to be built.

To live up to goal 16 and its targets the EU also has a responsibility to help eliminate the global drivers of conflict and to promote global drivers of peace (type III target). These responsibilities stem not only from goal 16 but also from the principle of PCSD. In addition to recovering stolen assets and combatting organised crime, target 16.4 includes the reduction of illicit financial and arms flows, as these are external drivers that pose a threat to peace in third countries. The specific level of responsibility that an EU member state or the EU as a whole will need to take is beyond the scope of this brief illustrative case. Yet, fairness considerations would suggest a role for actions by countries from which illicit arms emerge. France and Germany – both among the world's top-five arms exporting countries – favour strict legislation on arms transfers. Yet, both have provided weapons to regions where they could potentially be used in violent infringements of human rights (Amnesty International 2012). One of Germany's biggest manufacturers has been accused of illegally exporting weapons to embargoed regions of Mexico. These weapons are said to have been used in the drug war. Such activities undermine progress towards goal 16 and thus call for action.

One of the largest multilateral agreements setting global norms is the UN Arms Trade Treaty (ATT), which includes “irregular” flows in addition to “illicit” flows. With the EU Council paving the way for EU member states to ratify the treaty, steps towards its national implementation within the EU will be required. The ATT will be only as effective as its implementation at the national level. All states that have signed and ratified the treaty will be obliged to comply with the associated international commitments and export standards, including those aspects governing cooperation with third countries. The EU also has a common position on

¹²⁴ For example, the EU Programme for the Prevention of Violent Conflicts (2001); Council Conclusions on Security and Development (2007); Council Conclusions on EU response to fragility (2007); Council Conclusions on Conflict Prevention (2011); the Agenda for Change (2011); the Communication on the EU's comprehensive approach to external conflict and crises.

rules governing the export of conventional arms, which aims to harmonise national legislation across Europe.¹²⁵

Europe shares responsibility for tackling issues other than illicit arms flows as well, such as reducing illicit financial flows that are used to bankroll violent conflicts and reducing demand for trafficked items – often found in Western countries. The examples sketched here are thus only illustrative. Many other actions are possible – and indeed required – to contribute to and nationally implement the global universal goal on peaceful and inclusive societies.

¹²⁵ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:348:0016:0020:EN:PDF>

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