

**IDLO ROUNDTABLE BREAKFAST MEETING
ECOSOC ANNUAL MINISTERIAL REVIEW
GENEVA, 2 JULY 2013**

**Sharing the benefits of science, technology and innovation:
The role of justice and the rule of law in the post-2015 agenda**

Objective

Within the framework of the high-level segment of the ECOSOC 2013 Annual Ministerial Review, the IDLO Roundtable Breakfast Meeting aims to explore the benefits of a culture of justice and the rule of law on the equitable enjoyment of science, technology and innovation's advances, for the realization of sustainable development.

Science, technology, innovation and a culture of justice

A culture of justice based on the rule of law is integral to ensuring that the benefits of science, technology and innovation are shared fairly and contribute effectively to achieving the post-2015 agenda for sustainable development. Fair legal and regulatory structures and strong and accountable institutions are essential for promoting a human-centered and equitable basis for the sustainable development of countries and communities. However, experience shows that legal and judicial reforms are necessary but insufficient measures to promote sustainable development and to ensure fair access to the resources, means and benefits of development, including those that accrue from science, technology and innovation. The struggle for equity, justice and development is deeply linked to the norms, values, beliefs, traditions and lifestyle that make up the distinct culture of each society and to broader issues of good governance, democracy and human rights.

The High Level Panel (HLP) on the post-2015 development agenda identified five big 'transformative shifts' that should guide the new sustainable development framework and called for a "quantum leap forward in economic opportunities and a profound economic transformation to end extreme poverty and improve livelihoods".¹ The "rapid shift to sustainable patterns of consumption and production - harnessing innovation, technology, and the potential of private business to create more value and drive sustainable and inclusive growth"² called for by the HLP requires fair laws and regulations, based on solid principles of justice, equality and non-discrimination.

A strong commitment to building a culture of justice, based on the recognition of "peace and good governance as core elements of well-being, not optional extras", is essential to ensure that "everyone has what they need to grow and prosper"; that cities, seen as "the world's engines for business and innovation",³ do not become quagmires of alienation, marginalization and misery for the extreme poor; that 'open innovation', science and technology produce sustainable economic growth and contribute effectively to the eradication of poverty and inequality.

¹ *A New Global Partnership: Eradicate Poverty And Transform Economies Through Sustainable Development*, Report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda, May 2013.

² *Ibid.*

³ All quotes are from the HLP report, *ibid.*

In this sense, building a culture of justice in which accountable, well-functioning and responsive legal institutions are supported by well-recognized principles of rule of law, citizens are empowered and aware of their rights, and legal systems function to enable fair and sustainable development outcomes, remains critical if we are to see more equitable sharing of the benefits of science and technology. Fair institutions and good governance frameworks, supported by local cultures and informal rules of social interaction, can play a key role in ensuring that “all people have equal rights and a fair chance at improving their lives, that they have access to justice when they are wronged”.⁴

Fair and effective rule of law frameworks are also essential to protect cultural diversity, as well as local and indigenous knowledge and skills. Laws and regulations attuned to cultural values, norms and perspectives can promote local ownership of development objectives and enable the creation of locally-driven, sustainable solutions to global challenges such as climate change, the prevention of biodiversity loss and environmental sustainability.

Good rule of law frameworks can effectively support sustainable and accessible advances in education, science, technology and economic growth, improve the prospects for peace and security and guarantee benefit sharing on a non-discriminatory basis. In his report *Delivering Justice*, the UN Secretary-General calls for robust rule of law frameworks to “underpin the management of our future” and to meet major challenges to human development and security, such as environmental degradation, rapid urbanization, conflict, fragility, severe income inequalities and exclusion of vulnerable groups to civil society participation.⁵ These challenges are interlocking and intertwined. As the global community moves towards a new post-2015 development framework and discusses the contribution of innovative business models, knowledge-based societies, science and technology to global development, it is essential to maintain clear focus on the legal and governance frameworks needed to support the equal distribution of benefits and ultimately, fair development outcomes.

Main challenges and issues for consideration

- In crafting a new post-2015 agenda for development, what role should culture – and in particular a ‘culture of justice’ – play?
- How can the rule of law help developing countries gain fair access to science and technology?
- Is legal innovation an under-utilized tool with potential to open up new opportunities for sustainable and equitable development?
- Are current legal rules on intellectual property promoting or hampering access to knowledge, innovation and culture?
- Can a culture of justice help to create a fair balance between the right and needs of indigenous culture and international business?
- How can a culture of justice, based on the rule of law, help to preserve cultural diversity and promote culture as an economic opportunity?

⁴ Report of the Secretary-General on ‘Science, technology and innovation, and the potential of culture, for promoting sustainable development and achieving the Millennium Development Goals’ for the 2013 Annual Ministerial Review, ECOSOC, April 2013.

⁵ *Delivering justice: Programme of action to strengthen the rule of law at the national and international levels*, Report of the Secretary-General, UN doc. A/66/749, 16 March 2012.