

Narrative on the new SDG indicator 16.3.3: Proportion of the population who have experienced a dispute in the past two years and who accessed a formal or informal dispute resolution mechanism, by type of mechanism

This newly proposed indicator will improve monitoring of SDG Target 16.3 “Promote the rule of law at the national and international level and ensure equal access to justice for all”. The two existing indicators track progress on two distinct aspects of the criminal justice system, respectively in relation to victims of violent crime (SDG Indicator 16.3.1) and suspected perpetrators (SDG indicator 16.3.2), while there is no indicator focusing on civil justice.

There is a need to have an indicator focusing on access to justice in relation to issues that - while not being of criminal nature - occur very frequently during citizens’ life and can have a strong impact on their rights and entitlements. Disputes in relation to labour, land tenure, injuries and commercial transactions – just to name a few – exist at all latitudes and assessing the accessibility of relevant mechanisms to obtain justice is crucial to monitor target 16.3.

Similar to the indicator on crime reporting (SDG indicator 16.3.1), the rationale of this indicator is to focus on the first step of the process to obtain justice and in particular on the accessibility of justice institutions and mechanisms (both formal and informal). The indicator can provide important information about the overall accessibility of civil justice institutions and processes, barriers, and main reasons for exclusion. The disaggregation by type of dispute resolution mechanism provides additional information about the channels used by citizens in need of enforcing or defending their rights.

Data for this indicator can be collected through a small set of surveys questions (four) which can be included in general or dedicated surveys. Relevant data have already been collected by several countries, often in collaboration with one of the proposed custodian agencies (UNODC, UNDP and OECD) and the proposed indicator consolidates the best practices.

While additional guidance and capacity building in some regions are still needed, the inclusion of this indicator would not imply a significant burden from the methodological and data collection perspective.