

A photograph of a person walking a dog on a dirt path through a forest. The sun is shining brightly from the upper right, creating a lens flare effect and illuminating the path and trees. The path is covered in fallen leaves, and the trees are tall and green.

CONCORD REPORT 2016

SUSTAINABLE DEVELOPMENT

THE STAKES COULD NOT
BE HIGHER

CONCORD
European NGO confederation for relief and development

ABOUT CONCORD

CONCORD is the European NGO Confederation for Relief and Development.

Our members are:

28

National Platforms

20

Networks

03

Associate Members

which represent over 2,600 NGOs, supported by millions of citizens all around Europe.

Our confederation brings Development NGOs together to strengthen their political impact at the European and global level. United, we advocate for European policies to promote sustainable economic, environmental and social development based on human rights, justice and gender equality. We also work with regional and global civil society allies to ensure EU policies are coherent in promoting sustainable development in partner countries.

ABOUT THIS REPORT

The adoption of the 2030 Agenda on Sustainable Development in 2015 was a landmark moment. In the run-up to adoption of this 2030 Agenda, CONCORD and its members have been intensely involved in pushing for an agenda that is ambitious and relevant. Now it is time to move from commitment to action. In the context of the EU having promised to deliver a genuine 2030 Agenda implementation plan, CONCORD members have come together in a newly formed Hub for Sustainable Development and Policy Coherence for Sustainable Development. This report is a collaborative effort, aiming at providing the EU institutions and Member States with key policy asks to make the 2030 Agenda ambitions come true. From the CONCORD membership, specialists on the 2030 Agenda, policy coherence for sustainable development, migration, gender, trade and agriculture, consumption and production, and alternative measures of progress, have contributed to this report.

Publisher: CONCORD Europe - Rue de l'industrie 10 - 1000 Brussels, Belgium

Year of publication: 2016

ACKNOWLEDGMENTS

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Special thanks to all the members of CONCORD's Hub on Sustainable Development and Policy Coherence for Sustainable Development for all their contributions.

The positions adopted in this report are those of CONCORD Europe.

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FOREWORD BY CONCORD PRESIDENT

Most things can be achieved in small, deliberate steps. But there are times when one needs the courage and conviction to take a great leap. If we are to respond to the urgent need to create a sustainable future for people and planet, we will need to take precisely such a great leap. It is no coincidence, therefore, that world leaders agreed and adopted the 2030 Agenda for Sustainable Development in September 2015.

However, it is now down to each and every one of us to implement this ambitious and comprehensive framework. A number of EU Member States have started putting in place people, plans and processes. The EU institutions, on the other hand, have barely taken their first faltering step. Between the option of a bright, sustainable future and the wasteful, polluted and inequitable current path, there is a deep, wide chasm. Worryingly, the gap between the EU's strong words in support of the 2030 Agenda and its actions to implement it is almost as wide as the chasm we need to leap over to achieve a sustainable future.

It is time for the EU to face up to the commitments it made. The long-awaited, long overdue package of communications which will be launched in November is, regrettably, unlikely to indicate a clear path to leap over that chasm. The EU urgently needs to draw up an overarching strategy which will guide the work of every part of the European Commission, other EU institutions and EU Member States. It must set out how the EU as a whole will respect the integrated, inter-linked nature of the 2030 Agenda and how it will reach the Goals and targets, leaving no one behind, by 2030.

It is true that we had set the bar high for the EU – partly because of the EU's own rhetoric, partly because of its keen engagement in the negotiation of the 2030 Agenda, but also because of its good record in defence of human rights and in showing leadership on protecting the environment. The fact remains, however, that the EU has a long way to go to achieve sustainability inside Europe and to ensure that European policies do not undermine other countries' pathways to sustainability or their people's ability to realise their rights.

As we outline in this report, there are many areas – like trade and investment, migration or agriculture and food production – in which the EU's policies are absolutely not coherent with the objectives of sustainable development or respect for people's human rights. And the EU's strong reliance on economic growth to cure all ills is troubling, to say the least, given the evidence that the benefits of growth not only are not shared equally among a population but barely 'trickle down' to those furthest behind and actually contribute to greater inequality, environmental degradation and climate change.

To historic power imbalances and systemic failures are now being added the current 'securitisation' of almost every agenda, as well as a growing 'flexibility' in the use of development aid. A significant proportion of ODA is being used in European donor countries, while increasing amounts of ODA are used to encourage, or leverage, European private sector investment in developing countries. While partnerships with all actors are an important element of the 2030 Agenda, CONCORD remains sceptical as to whether sustainable development and human rights can be achieved in this way, not least given the glaring lack of transparency and accountability over the private sector's role in the field of development.

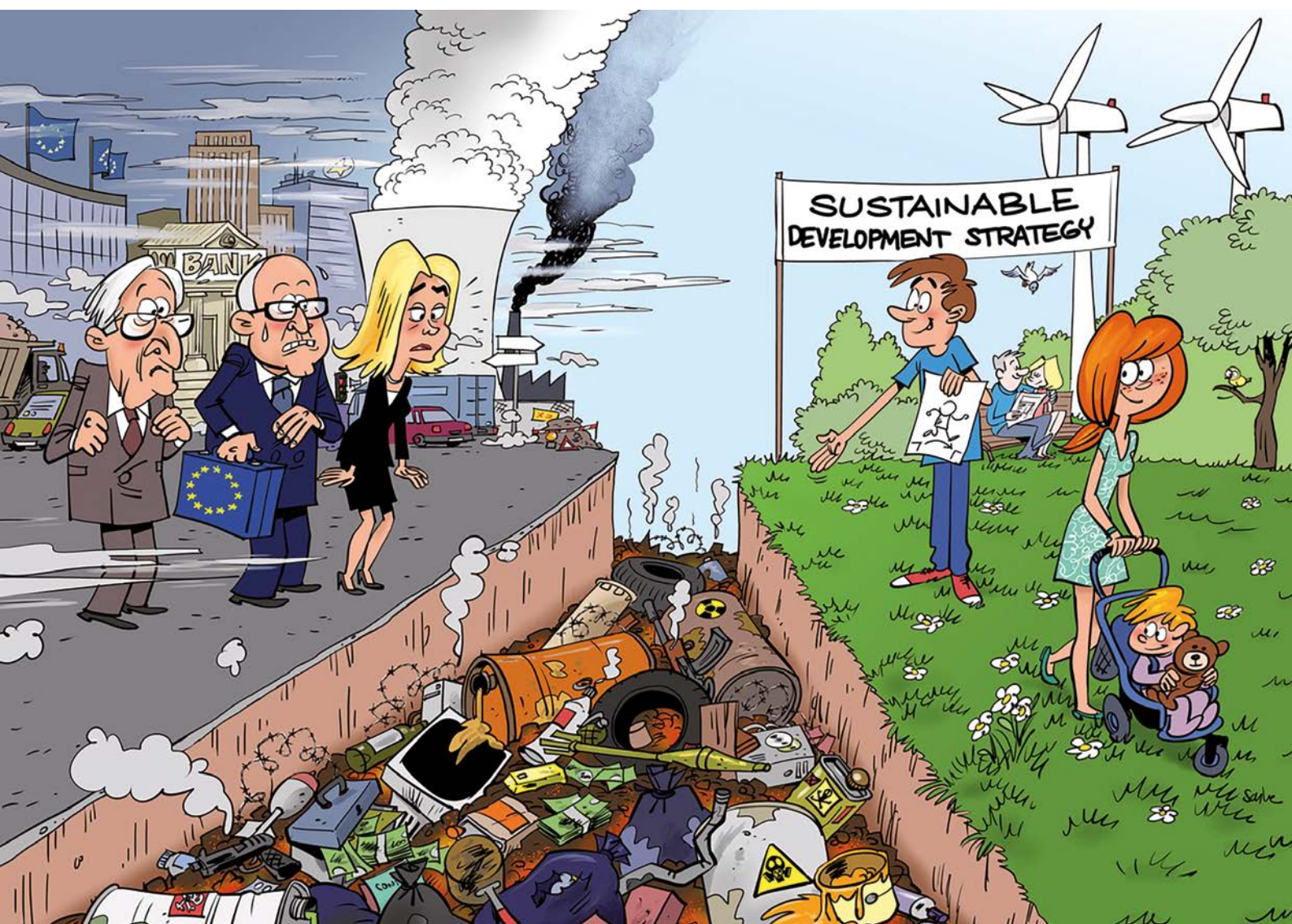
A much more concerted focus on sustainable development and a true return to European values such as ensuring justice, human rights, democracy and solidarity would actually give people more faith in and hope for Europe.

As everyone knows, you can't take two small steps to leap over a chasm. The EU urgently needs to put in place an ambitious, comprehensive strategy for Europe to achieve sustainability and to help other countries to make the same leap.

It is not too late to start, but "the stakes could not be higher"!

Johannes Trimmel

WILL THE EU TAKE THE GREAT LEAP?



EXECUTIVE SUMMARY

Since the adoption of the integrated, universal **UN 2030 Agenda for Sustainable Development** in September 2015, governments around the world have been translating their commitments into action. **The EU, although it has recognised its responsibilities under this universal agreement, has yet to develop a vision for how it will take the 2030 Agenda forward in its domestic and international policies. And, meanwhile, it still has a long way to go to become truly sustainable. If the EU and its Member States take joint leadership and adopt an overarching strategy for sustainable development,** the EU can make a difference, for people in Europe and around the world. Such an overarching strategy should bring together existing initiatives, set priorities based on identified gaps, and provide guidance for both the EU institutions and Member States on how to implement, monitor and review this integrated framework. At its heart, should be people and planet. The EU must fulfil its human rights obligations and address inequalities to ensure no one is left behind.

As the actors working towards the realisation of this 2030 Agenda are many and varied, it is crucial to put in place strong, participatory frameworks for **monitoring, accountability and review** at the global, regional, national and local levels. For all these levels, but especially the EU one, it is essential to adopt and monitor a comprehensive set of indicators, with data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts, to ensure that no one is left behind. The monitoring results should become the basis for statistical, but also political, progress reports that can feed into regular, self-critical and participatory stock-taking sessions. There should be regular, inclusive dialogue involving parliaments, civil society and other stakeholders. For this, important lessons can be drawn from what is already happening within EU Member States and from existing EU monitoring processes.

The commitment to ensure policy coherence for development, as enshrined in the Lisbon Treaty, means that, outside of the realm of development cooperation, the EU has committed to taking into account the impact of its other policies on developing countries. With the adoption of the 2030 Agenda, **policy coherence for sustainable development (PCSD)** has been extended both in importance and in scope. It implies that decision makers should balance the four dimensions of sustainable development, and make sure that their choices impact positively and not negatively on the ability of EU Member States and other countries to achieve sustainable development, while taking into account the consequences for future generations. The integrated nature of the 2030 Agenda requires us to pay

greater attention to the interlinkages between various goals and policies, instead of trying to treat each problem individually.

The EU should assess the impact of its policies (ex ante and ex post) on poverty eradication, human rights and the four dimensions of sustainable development in developing countries, and take the outcomes of these assessments into account by rejecting any initiatives that would clearly have a detrimental impact on the objectives listed above. For many EU policies impacting on human rights in partner countries, assessing this impact is considered unnecessary. And when impact assessments, including trade sustainability impact assessments, are conducted, too many of them fail to look thoroughly at potential impacts on people living in poverty in partner countries. It has yet to be seen whether the Better Regulation Package will have a positive influence on the quality and comprehensiveness of impact assessments from a PCSD perspective, and whether the EU will take into account the findings of these assessments when drafting or revising policies and laws. The role of the Regulatory Scrutiny Board, which has been tasked with scrutinising the quality of all impact assessments, major evaluations and fitness-checks of existing legislation, will be crucial in this regard.

This kind of better practice should be complemented by **stronger accountability, through ensuring transparency and consultation with civil society, and by improved redress mechanisms.** The EU delegations have an important role to play in this regard. Monitoring PCSD should be linked with the EU's overall monitoring framework for the 2030 Agenda, with both political progress reporting and specific indicators developed for Target 17.14 of the Sustainable Development Goals. The reporting that presents progress in improving PCSD should look not only at whether mechanisms are in place, but also at the actual impacts of policies.

Three areas where CONCORD believes the EU urgently needs to transform its policies and practice, to bring them into line with the 2030 Agenda goals and principles, are **food consumption and production, and migration.**

Hunger in our world today is a result of injustice, not scarcity. The 2030 Agenda aspires to zero hunger worldwide by 2030, promotes agriculture that is environmentally sustainable, wherever your plot of land may be, and calls for a **reform of our own food consumption patterns, especially with regard to the production, processing and trading of food (ingredients) imported from abroad.** This will be possible only if we address the power imbalances and systematic inequalities embedded in the rights and control over land, seed and other productive resources and the basic impact of poverty on access

to food. Through its trade policies, the EU should contribute to trade regimes that allow developing countries sufficient space to develop their own agricultural sector and give smallholders the opportunity to boost local economies and livelihoods with support from public policies. Through its development and food security policies the EU should contribute directly to programmes aimed at strengthening small-scale producers, both women and men, supporting their self-organisation in cooperatives, networks and movements, both for a stronger economic role as well as greater democracy; and enabling knowledge and skills to be shared in sustainable agricultural practices. Through its attention to private-sector operations, the EU has both the responsibility and the leverage to address workers' rights in value chains, together with issues such as land rights and the protection of natural resources.

To **ensure that the governance of our food systems is genuinely participatory and democratic**, organised social movements of small-scale food producers, agricultural workers and consumers – especially women and youth – need to have a meaningful voice in making decisions at local, national and global levels on issues that affect us all on such a fundamental level as the right to food. Economic inequality translates into other forms of inequality, in particular, reduced access to decision-making processes for people living in poverty. That is why focusing on growth in the agriculture sector, without balancing the environmental, social and governance dimensions equally, may further consolidate the power of elites and authoritarian governments, instead of contributing to the implementation of the 2030 Agenda.

In Europe there is a **growing tendency to see the “private sector” as a key source of investment in agriculture in developing countries**, for boosting growth and jobs, accompanied by the assumption that this would automatically contribute to the achievement of the 2030 Agenda. But this “private sector” label encompasses a wide range of actors, from small-scale food producers to large transnational corporations – all requiring different approaches, and not all having the same potential in terms of alleviating poverty and inequality. Our approach to food systems must be shaped by the need for us to live within the boundaries of what our planet can provide. This calls for the design and management of sustainable, circular, agro-ecosystems, drawing together ecological, sociological and economic disciplines to fulfil the food and nutritional needs of our growing population.

The EU increasingly tries to strengthen the link between the private sector and development, e.g. by using ODA to trigger what is considered riskier investment by the private sector, so

that the latter takes on part of the risk. In seeking to leverage or co-finance programmes with the private sector, it is **important to ensure that financial and development additionality are demonstrable**, and that risks to people and the environment are effectively minimised. Responsible private-sector investment, access to decent work, and human rights due diligence in line with the UN Guiding Principles on Business and Human Rights – all of these can make an important contribution to sustainable development.

When it comes to the **role of the private sector in supporting refugees or migrants**, the pre-conditions they would need in order to flourish and obtain decent jobs should be tackled in conjunction with the needs of the hosting region. The EU should fully acknowledge the risks that – in the absence of an adequate legal framework that guarantees corporate accountability and transparency – may be entailed in funding a greater corporate presence in fragile countries and regions where the private sector is least inclined to invest. Host and donor governments and the international community need to understand better the root causes of movement, the drivers of and motivations for migration, and the scale of protection gaps. Current rhetoric in Member States is not sufficiently evidence-based. **Together we urgently need to develop a new, positive narrative on migrants and refugees.**

In adopting the 2030 Agenda the world's leaders also undertook to “facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of well-managed migration policies”, and to ensure “full respect for human rights and humane treatment of migrants, regardless of migration status, of refugees and of displaced persons”. **The EU should thus be focusing on human rights, on the importance of migration for sustainable development in third countries, on more safe, legal routes for migrants and refugees and on greater sharing of responsibility between Member States.** Past experience has taught us that circular migration has contributed to the “brain gain” in many countries and that remittances from diasporas are now amounting to three times more than total global ODA. Instead, the EU increasingly frames migration in terms of security, as is reflected in increasingly restrictive migration policies and the externalisation of the EU's border management in exchange for EU aid. This also fuels fear, which in turn feeds growing anti-immigration sentiments across the EU. This approach, as manifested in the EU-Turkey deal and the New Partnership Framework with third countries, clearly contradicts the 2030 Agenda principles of leaving no one behind, the human rights-based approach and the principle of PCSD. The lack of safe, legal channels for reaching the EU particularly impacts on women and children. Furthermore, to

keep everybody involved in new migration policies, it is essential to allow space and time for the European Parliament and civil society organisations to be involved and to play their crucial watchdog role.

The 2030 Agenda lays out a transformational approach to improving human well-being within the boundaries of the Earth's ecosystems, and (in SDG 8) it envisages sustained, inclusive and sustainable economic growth. While recognising the tension it creates between promoting economic growth and growth's negative effects on the environment, when it suggests that countries should try to decouple economic growth from environmental degradation, it does ignore the impacts that economic growth has on society and the environment and climate change. Our economic and social model is built on the assumption that an increase in economic growth, as measured by GDP, produces benefits and improvements in the quality of life for all. But **the benefits of growth simply do not “trickle down” to reach everyone.** In and of itself, economic growth will not reduce poverty or inequality, as has been proven in many regions.

We therefore need to challenge the narrative about the singular imperative of economic growth without considering the type of growth and progress required to make real change and deliver well-being for all. **A reliance on GDP measures makes us complacent, because they hide the true cost of growth for people and planet.** Policy makers should try to address far more comprehensively what really constitutes progress for people and planet, and should use the economy as one tool for achieving this progress. New indicators will be needed to measure inclusive, sustainable progress in the social, economic and environmental domains, which should focus on the notion of the well-being of people and planet – in line with Article 3 TEU, which states that the social mission and objectives of the EU are to promote the well-being of its peoples, and in line with Goal 17 of the 2030 Agenda.

Considerable work has already been undertaken both at country level and by international institutions, such as the OECD, to explore various options for alternative and more comprehensive measures of progress. The European Commission and the EU Member States should, far more seriously and urgently, consider adopting a common set of quantitative and qualitative indicators covering social, economic, environmental and governance factors which will increasingly complement GDP, and ultimately replace it, as the main measure of progress or of the well-being of a population.

CONCORD CALLS ON THE EU AND ITS MEMBER STATES TO...

Implement the 2030 Agenda for Sustainable Development in a transformative manner:

- Draw up an overarching strategy which brings together existing initiatives, sets priorities based on the gaps identified, and provides guidance for both the EU institutions and the EU Member States in their implementation, monitoring and review of the 2030 Agenda, covering both domestic and external policies and both shared and exclusive areas of competence.
- Commit to adopting the overarching strategy and start implementing it by the end of the first quarter of 2017.
- Make use of the mid-term review to adjust the 2014-2020 Multiannual Financial Framework (MFF) to support such a strategy better, and ensure that future MFFs too provide the funding necessary for delivering on the strategy.
- Set up a transparent and robust monitoring, accountability and review framework on the basis of a comprehensive set of indicators, tailored to the EU context. In the framework, include political and statistical progress reports, regular self-critical and participatory stocktaking sessions (at technical and political level), and an inclusive, regular dialogue with all stakeholders, including parliament and civil society.
- Report annually on progress to the UNECE and at least three times to the High-level Political Forum, starting in 2017. The EU must involve the European Parliament, national parliaments, civil society and other actors.
- Show political leadership by adopting European Council Conclusions which call for all of the above and by regularly reviewing progress and adopting conclusions at the highest political level.

Ensure policy coherence for sustainable development:

- Assess the impact of new policies in a genuinely participatory manner, especially the impact on sustainable development and human rights, and take this impact into account in its policy making.
- Monitor progress on Target 17.14 systematically, including through systematic biannual reporting on all domestic and external policies with an external impact.
- Ensure that, in the process of conducting impact assessments and public consultations, the arguments of less powerful actors in society, including women and girls, are attentively taken into account, in order to prevent industries and large companies from do-

minating these processes.

- Ensure that the Regulatory Scrutiny Board pays special attention to the reasoning and underlying evidence provided when an IA states that there are no negative impacts on poverty eradication or human rights in developing countries.
- Reach out more proactively, through its delegations worldwide, to local groups of people whose rights are affected by EU policies, and engage in a dialogue with them.
- Improve its redress mechanism to allow for cases of detrimental impacts of EU policies on development objectives to be raised, and to make PCSD a binding commitment.

Ensure truly sustainable food consumption and production:

- Reinforce human-rights approaches by focusing efforts on addressing power imbalances in food systems, and contribute to the achievement of the Right to Adequate Food.
- Respect and strengthen the role of the UN Committee on World Food Security (CFS) in order to improve the coordination and governance of the global food system, including in the implementation of relevant aspects of the 2030 Agenda.
- Opt for sustainable, resilient, agroecological methods of production, both inside and outside Europe, that maintain and increase biodiversity, regenerate ecosystems and opt out of production methods that ignore planetary boundaries.
- Focus investment policies on the provision of public goods that complement farmers' own investments, rather than focusing on the facilitation of large-scale private-sector investment. Ensure that EU investment, aid and other policies do not legitimise land or water grabs and are not conducive to human rights violations.
- Implement an appropriate framework including regulation, incentives and facilitation so that states, the private sector and civil society all take robust measures to tackle food loss and waste in unsustainable production models, unfair buying practices, and unsustainable consumption patterns. This framework should address the need for the private sector's actors to improve the ways in which they integrate negative externalities of their activities, such as damage to natural resources.

Put sustainable development and human rights back at the centre of migration:

- Ensure that realising human rights, balancing the four dimensions of sustainable development in developing countries, reducing poverty in all its dimensions, eradicating extreme poverty, and fighting inequality are the main objectives of the EU's development policy and

refrain from using ODA to achieve the Union's own interest of managing borders and migrant flows. The EU must respect the principles of development effectiveness, including the principle of ownership and alignment and must stop applying conditions on aid linked to management of migration and displacement.

- Establish a regulatory framework to ensure safe, regular pathways for asylum seekers to deliver on EU commitments under the 2030 Agenda and elaborate existing migration instruments, such as the 2015 European Agenda on Migration, to develop a legal framework that provides regular mobility opportunities for both highly-skilled and low-skilled workers.
- Ensure that cooperation with non-EU countries on migration and displacement upholds all human rights. The return of asylum seekers and migrants who do not meet international or more protective national standards should be conducted in safety, dignity and with respect for their human rights. Primacy should be given to voluntary return, with cooperation between states in reception and reintegration assistance, paying particular attention to women and children.
- Commit to funding longer-term systematic data collection about/along migratory routes to understand the drivers of migration and develop a positive, evidence-based narrative on migrants and asylum-seekers.

Use alternative measures to track progress:

- Follow up on EU and Member State commitments and recommendations for the adoption of the 2030 Agenda (Council Conclusions, December 2014) and the commitment to SDG Target 17.19 to look beyond Gross Domestic Product (GDP) to broader measures of progress, including social, human and natural capital, to promote a more comprehensive vision of sustainable livelihoods and well-being.
- Agree and adopt a common set of EU indicators covering social, economic, environmental and governance factors which focus on the well-being of people and planet, and commit to use them in all relevant policy- and decision-making as a complement to GDP.
- Use and refer regularly to these alternative measures of progress in EU strategies, strategic documents, policies, reviews and statements, such as the State of the Union address, the Multiannual Financial Framework and annual budget proposals, annual Commission reports and the European Semester process.

CHAPTER 1

COUNTDOWN TO TRANSFORMING THE WORLD: SO LITTLE TIME, SO MUCH FOR THE EU TO DO

CHAPTER 1

INTRODUCTION

In September 2015, the 193 Member States of the United Nations adopted **an ambitious, comprehensive, integrated and universal agenda for sustainable development**, entitled Transforming our World: the 2030 Agenda for Sustainable Development (hereafter known as “the 2030 Agenda”).¹ The 2030 Agenda, including the four dimensions of sustainable development (environmental, social, economic and governance) reflected in a four-part series of commitments,² might indeed turn out to be transformative. However, one year after adoption, the EU has still not developed a vision for how to take the new 2030 Agenda into account in its strategies or policies. It is simply not doing enough to reach the international goals it committed itself to achieving by 2030. Political will and ambition are urgently needed, rather than the current complacency. Furthermore, the EU is required to integrate the principles of the 2030 Agenda in both its internal and external policies, especially in relation to developing and least-developed countries. The following three examples demonstrate the urgency and scale of the challenges ahead.

In the area of the environment, the EU's **climate and energy** framework sets its target for renewable energy at 27% of the total energy mix by 2030. But environmentalists warn that that objective is too low, and that 45% renewable energy is needed to achieve our climate targets by 2030. Moreover, although a directive has set legally binding targets for 2020, a progress report by the European Commission showed in 2015 that only 10 Member States will reach them. The target of a 20% decrease in greenhouse gas emissions by 2020 – compared with 1990 levels – will therefore remain elusive.

The key principle of addressing **inequalities and human rights** in order to “leave no one behind” also needs serious attention. Social inequalities have been on the rise since the 2008/2009 economic and financial crises, and the EU has done little to tackle the issue. Instead of putting in place comprehensive social policies and inclusive economic policies, the European Commission (EC) has insisted on austerity policies, pushing Member States to curb their deficits and public debts. These austerity policies have had a disastrous effect on people's human rights and well-being and have hit the poorest hardest. According to Eurostat, 123 million EU citizens (a quarter of its population) are now at risk of living in poverty. Furthermore, the EU is required to integrate the 2030 Agenda principles in both its internal and external policies, especially those affecting developing and least-developed countries.

This equally applies to its contribution to **Financing for Sustainable Development**. According to the 2014 Global Financial Integrity Report, illicit financial flows represent roughly ten times the amount of aid received by developing countries, much of which would be aimed at poverty eradication, welfare and sustainable development.³ Despite this situation and calls from the general public, CSOs and the European Parliament, the EU has so far failed to introduce measures that can effectively address the problem. The promising Anti-Tax Avoidance Directive has been severely watered down in the Council and the long-awaited, public, country-by-country reporting proposal, intended to increase the tax transparency of multinational companies, fell short of civil society expectations. On fulfilling its aid promise, too, the EU is lagging behind: in 2015 it gave only 0.44% of its collective welfare to official aid, instead of the promised 0.7%.⁴

These are just a few examples showing where the EU needs to step up its efforts, or even change its course, in order to fulfil its commitments to sustainable development. This report will offer policy recommendations to encourage the EU and its Member States to start engaging in the thorough-going transformation required by the new international sustainable development agenda.

A JOINT ENDEAVOUR FOR THE EU AND ITS MEMBER STATES

A key step in implementing the 2030 Agenda is to develop national implementation plans. However, in Europe, the EU has a special role to play in binding its Member States and institutions together. It has committed itself to drawing up joint policies and to speaking with one strong voice in many key policy areas. It is also an influential actor at the global level. It therefore needs to support and coordinate Member States in implementing and monitoring the 2030 Agenda on issues where it has a key role to play globally and particularly in areas of shared and exclusive competence. In order to do this, it is crucial to develop an ambitious, overarching EU implementation strategy for the 2030 Agenda.

Areas of *exclusive competence* of the EU include the common commercial policy, including international trade, and the common monetary policy for the euro-zone countries. In these policies, the decisions are made solely at EU level and require support from Member States. In several other fields the EU has *shared competence*, meaning either the EU or Member States may act, yet Member States legislate and adopt legally binding acts to the extent that the Union has not exercised its competence. Areas under shared competence range from the environment and energy

¹ <https://sustainabledevelopment.un.org/post2015/transformingourworld>

² This four-part series of commitments covers important principles in the Preamble, 17 Sustainable

³ <http://www.gfintegrity.org/report/illicit-financial-flows-from-developing-countries-2004-2013/>

⁴ CONCORD 2016 AidWatch Report: this is not enough

to social policy and development cooperation. In areas of *supporting competence*, such as industry, tourism and education, both the EU and the Member States may act, but action by the EU must be to support, coordinate or supplement Member State activities.

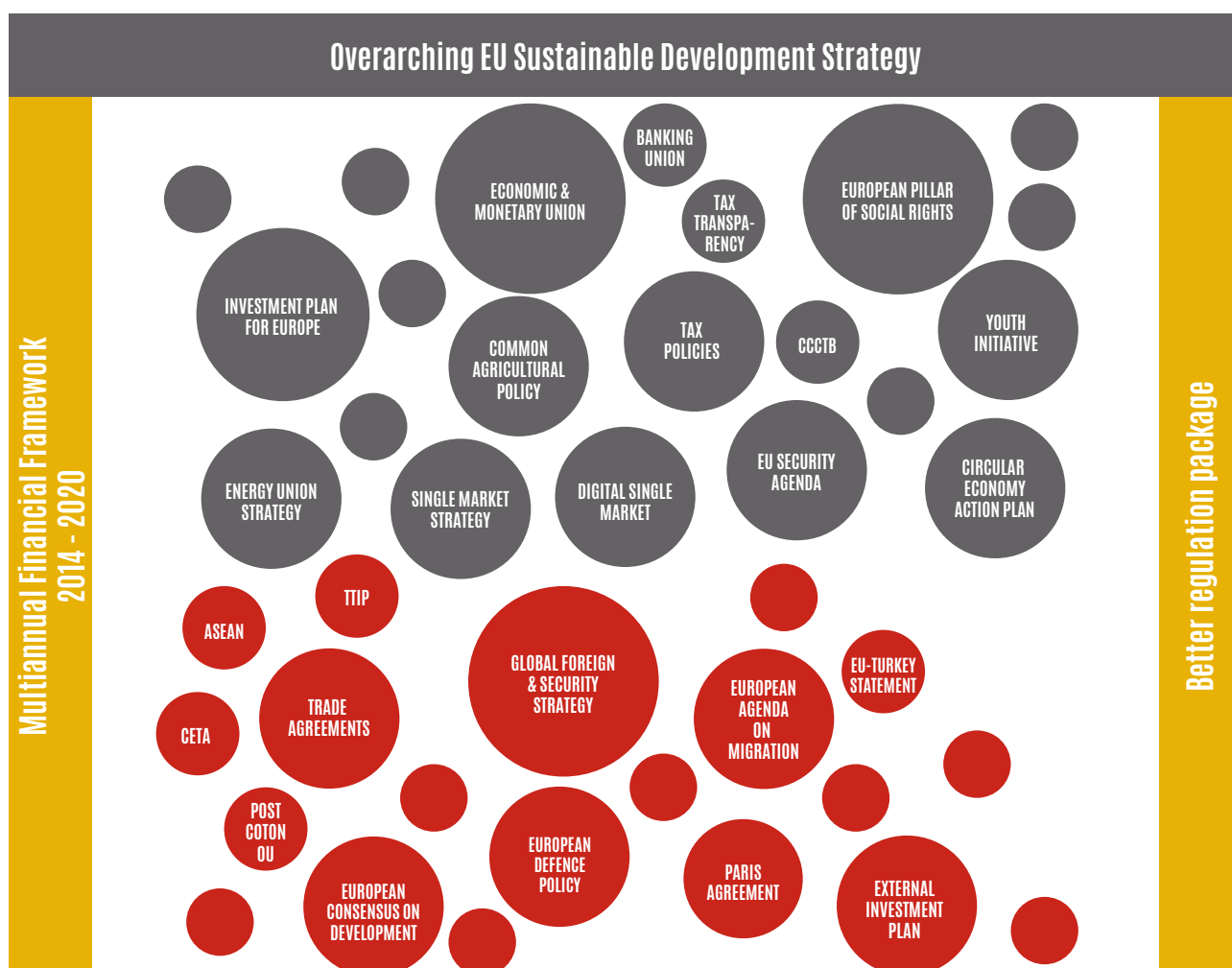
Taking SDG 12 on “sustainable consumption and production” as an example, the relevant EU competences to consider include international trade deals for ensuring sustainable global value chains, environmental policy for promoting resource efficiency and a circular economy, agriculture policy for supporting promising alternatives to the current food system, and education policy for improving global citizenship education. These different policies come within different areas of competence within the EU, which means that to achieve SDG 12 in any given Member State, action needs to be taken at both EU and national level.

When the EU and its Member States take joint leadership on these matters, they can make a difference. National implementation plans therefore need to be complemented by an EU implementation strategy and action plans in its areas of competence.

A CALL FOR AN OVERARCHING EU STRATEGY

The EU needs an overarching strategy for sustainable development. Not because sustainable development is a new topic for the EU, but because there are already a number of particular strategies and policies in place that are relevant to sustainable development. It is therefore important to take stock of what is already happening, see what is missing and decide what therefore needs to be done to fill the gaps. Some of these strategies have been listed in the *infographic* below.

Infographic: *There is a very practical reason for having an EU Sustainable Development Strategy: 2016-2017 is a critical time for the EU in many respects. Several commissioners are currently involved in revising their core strategies and policies. An overall EU Sustainable Development Strategy would prevent these strategies and policies from evolving separately, and would also help ensure that they contributed to implementing the 2030 Agenda and achieving policy coherence for sustainable development, both within the EU and in the EU's external policies.*



The **overarching strategy** should bring together existing initiatives, set priorities based on identified gaps and provide guidance for both the EU institutions and the EU Member States on how to implement, monitor and review this integrated framework, covering both domestic and external policies. While the 2030 Agenda goals and principles must be mainstreamed into all relevant legislation and policy and budgetary processes, the purpose of an overarching strategy must be to bring all existing work and policies together and to ensure that the full 2030 Agenda is covered. The strategy should, furthermore, identify linkages between policy areas that are critical to achieving the SDGs and should guarantee policy coherence for sustainable development (PCSD). Most importantly, a strong commitment from the EU institutions would give sustainable development the political push it needs.

The European Parliament (EP) has already acknowledged the need for an overarching EU sustainable development strategy. In May 2016 it adopted a resolution calling on the EU to take leadership and asking the Commission to propose an “overarching Sustainable Development Strategy encompassing all relevant internal and external policy areas”, including “a concrete implementation plan”. The Parliament rightly “stresses the importance of the universality of the goals, and the fact that the EU and its Member States have made a commitment to implementing all the goals and targets fully, in practice and in spirit.” The resolution also makes an important point in calling for the 2030 Agenda to be reflected in the Multiannual Financial Framework and its mid-term reviews. After this strong statement from the Parliament, it is now up to the Commission and the Council to act.

CONCORD urges the Commission – in particular Vice-Presidents Timmermans and Katainen, given their special responsibility for the 2030 Agenda, together with the 2030 Agenda project team of Commissioners – **to clarify the next steps towards an ambitious overarching EU strategy for sustainable development and its full realisation.**

Such an approach does not belong in the realm of wishful thinking, as some Member States have already shown. **Slovenia** has merged the 2030 Agenda with its national development strategy, showing that it respects the universality principle. It has opted for an innovative approach that brings together the preparation of Slovenia’s Development Strategy and the monitoring of how the SDGs are being implemented into one single process. Another example is **Finland**, which is preparing its national implementation plan for the 2030 Agenda under the leadership of the prime minister. The implementation plan will cover both internal and external policies, will include a monitoring and review framework and will be drafted in cooperation with a range of stakeholders, including all ministries and civil society.

CONCORD calls on the European Commission and all Member States to follow the examples set by Slovenia and Finland, who are showing the highest level of political leadership in order to put sustainable development into practice, in partnership with civil society, throughout the implementation, monitoring and review of the 2030 Agenda. CONCORD further urges the Member States to decide upon and establish the most effective set-up within the Council to bring together various sectors to follow up on the implementation of the 2030 Agenda at both the technical and political levels.

MONITORING, ACCOUNTABILITY AND REVIEW

Working to achieve the 2030 Agenda is a joint effort. As the actors working on the realisation of the goals are many and varied, it is vital to put in place strong frameworks for monitoring, accountability and review (MAR), at the global, regional, national and local levels. As this report focuses on the role of the EU and its Member States, it will view all levels from this perspective.

The following are **vital ingredients for successful monitoring, accountability and review:**

- A comprehensive set of indicators, with data disaggregated according to agreed parameters;
- Political and statistical progress reports;
- Regular self-critical and participatory stocktaking sessions (at technical and political level);
- Inclusive and regular dialogue with all stakeholders, including parliament and civil society.

At the **global level**, the UN High-level Political Forum on Sustainable Development (HLPF) – informed by an annual SDG progress report, the quadrennial Global Sustainable Development Report and other relevant inputs – is the body in which global progress is reviewed.⁵ In 2016, after months of negotiations, the forms and functions for the global follow-up and review process within the HLPF were agreed. The EU should report regularly, in addition to Member States, and should continue to push for a stronger HLPF with greater CSO participation.

Additionally, the **UN Economic Commission for Europe (UNECE)** is tasked with organising regional follow-up.⁶ By means of a survey, the UNECE collected information on how States are progressing with preparing their implementation of the 2030 Agenda at national level, as well as what role they foresee for the UNECE in organising regional follow-up and review across the UNECE region. A first fully fledged European Forum on Sus-

⁵ <https://sustainabledevelopment.un.org/hlpf>

⁶ <http://www.unece.org/sustainable-development/sustainable-development/home.html>

tainable Development is expected in April 2017. As a key proponent of a strong international monitoring, accountability and review system, the EU and its Member States should push for and contribute to a more inclusive, participatory and transparent monitoring and review process at UNECE level.

In some **EU Member States**, good progress has been made in setting up the monitoring, accountability and review processes that are needed to deliver on the 2030 Agenda. In several EU countries, statistical agencies have started adapting national indicators and measurements to the 169 targets and their corresponding indicators. Complementary monitoring mechanisms are also being set up or adjusted, to provide qualitative analyses. The availability of considerable information at national level and the readiness to follow up on the 2030 Agenda is reflected in the preparations made by four EU Member States (Estonia, France, Finland and Germany) for the High-level Political Forum in July 2016. In Germany, for example, the State Secretary's Committee for Sustainable Development is responsible for seeing to it that all ministries coherently implement the 2030 Agenda through the national strategy.⁷ The Parliamentary Committee for Sustainable Development focuses on the parliamentary process and on sustainable legislation. Both mechanisms have been in place for several years now, but although some small improvements have been made, it is obvious that Germany has still much to do, and it is time to analyse how to improve the efficacy of these structures. Finland, meanwhile, is planning to hold its annual "state of sustainable development" stocktaking discussions in the parliament, to present statistical data and collect inputs from various stakeholders, including civil society.⁸ The purpose of the event is to link monitoring processes with regular government reporting, budget and planning cycles. Both Finnish and German CSOs were invited to contribute to the National Voluntary Reviews at the 2016 HLPF and to take the floor after their government's presentation. This is a good practice which other EU Member States should replicate when reporting to the HLPF in the future.

At **EU level**, regrettably, it remains unclear how the monitoring, accountability and review of progress by the EU will be organised. A preliminary Eurostat report based on existing indicators is expected to be published in November 2016, to shed light on how the EU is currently performing on the different goals. Eurostat is also working on a set of indicators that will be used to measure progress

against the global indicators, tailored to the EU's advanced social, economic and environmental status while reflecting its obligations towards others. However, this is only one element of a comprehensive monitoring, accountability and review process. CONCORD calls on the EU to clarify how it will carry out monitoring, accountability and review, taking into consideration its exclusive and shared areas of competence and engaging CSOs, parliamentarians and Member States.

The following are **CONCORD's recommendations for the EU-level indicators and the EU-level monitoring, accountability and review (MAR) process**:

- An EU-level set of indicators for monitoring progress should be both in line with the global indicators set and adapted to the EU context, and – given that the EU is already perceived as a leader on sustainable development – should also be ambitious.
- Data should be disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts, to ensure that no one is left behind.
- Eurostat should develop an indicator set for SDG Target 17.14 (to enhance policy coherence for sustainable development) that would measure the extent to which progress – or developments – in the EU are decoupled from negative impacts in developing countries.
- Eurostat's regular technical reporting on the basis of this indicator set should be complemented by a political monitoring report. The EU itself should also report regularly to the other levels (in Europe and globally), should be self-critical and should involve civil society in the different steps along the way.
- Inclusive, high-level stocktaking sessions should be held annually to keep sustainable development high on the political agenda.
- The EU should organise peer learning and exchange sessions between EU Member States in order to improve on MAR, paying particular attention to policy coherence for sustainable development.
- When the monitoring process is being set up, civil society should be consulted both on the indicator set and on reporting and stock-taking modalities. Neither the selection of indicators nor the reporting modalities are mere technical exercises.
- In terms of participation, parliaments and civil society organisations should be meaningfully engaged throughout the design, monitoring and review process (of the 2030 Agenda) in all countries. The EU should empower citizens in its partner countries as well as in Europe to counter the trend of shrinking civic space all over the world, in line with President Juncker's commitment.⁹

⁷ <https://www.bundesregierung.de/Content/EN/StatistischeSeiten/Schwerpunkte/Nachhaltigkeit/nachhaltigkeit-2010-12-13-strukturen-der-nachhaltigkeitspolitik.html>

⁸ Prime Minister's response to a written question from the Parliament on parliamentary monitoring of the 2030 Agenda, 7 October 2016. Ref: KKV_462/2016, https://www.eduskunta.fi/FI/vaski/Kysymys/Documents/KKV_462+2016.pdf

⁹ http://europa.eu/rapid/press-release_SPEECH-16-3043_en.htm

THE INDISPENSABLE ROLE OF PARLIAMENTS

The 2030 Agenda acknowledges that parliaments play an essential role in implementation by enacting legislation, adopting budgets and helping to ensure accountability for the effective fulfilment of the commitments. Members of national parliaments as well as the European Parliament have a crucial oversight role, and therefore have a particular duty to improve transparency, accountability and inclusive decision-making. When passing legislation or approving budgets, parliaments have to make sure the commitments made by governments are put into practice. For an EU sustainable development strategy to be carried forward over different legislative periods, cross-party agreement on how to proceed is crucial, both for the overarching strategy and also for the means to implement this strategy.

CONCORD recommends that cross-committee and cross-party parliamentary committees on sustainable development should be set up in each EU Member State and in the European Parliament, in order to ensure follow-up, shared responsibility and policy coherence for sustainable development. In addition, regular opportunities for peer learning and exchange should be organised for national and European parliamentarians.

Important lessons can and should be drawn from existing monitoring processes such as the European Semester process, which is the EU's annual cycle of macro-economic, budgetary and structural policy coordination, guidance and surveillance, and which includes some social aspects through the Europe 2020 Strategy. In the European Semester, economic objectives are being given priority over social and environmental objectives. Only 5% of the country-specific recommendations have been implemented, and progress on the social and environmental objectives of the Europe 2020 Strategy has been very limited.¹⁰ It is important to note that country-specific recommendations are not legally binding, but they do have to be politically endorsed. The monitoring of an EU strategy to implement the 2030 Agenda should balance the different dimensions of sustainable development and focus more on impact, as well as on an integrated and transparent process for achieving this impact. Furthermore, there is a lack of meaningful engagement by parliaments and stakeholders, both at national and EU level, which must not be reproduced in the monitoring, accountability and review framework for the 2030 Agenda. We can also learn from other international monitoring processes such as the *Mon-*

terrey process. With its annual EU accountability report,¹¹ in the past the EU has set a good example by systematically conducting cross-European progress reviews, whose reports were discussed at the highest political level, thereby allowing for peer learning and review. The monitoring carried out in the context of the reformed *Committee on World Food Security* is yet another example we can learn from, which calls for the establishment of an innovative, inclusive monitoring mechanism and in which civil society is advocating the inclusion of qualitative data contributed by rights-holders.

THE EU AND ITS MEMBER STATES MUST:

- Draw up an overarching strategy which brings together existing initiatives, sets priorities based on the gaps identified, and provides guidance for both the EU institutions and the EU Member States in their implementation, monitoring and review of the 2030 Agenda, covering both domestic and external policies and both shared and exclusive areas of competence.
- Commit to adopting the overarching strategy and start implementing it by the end of the first quarter of 2017.
- Make use of the mid-term review to adjust the 2014-2020 Multiannual Financial Framework (MFF) to support such a strategy better, and ensure that future MFFs too provide the funding necessary for delivering on the strategy.
- Set up a transparent and robust monitoring, accountability and review framework on the basis of a comprehensive set of indicators, tailored to the EU context. In the framework, include political and statistical progress reports, regular self-critical and participatory stocktaking sessions (at technical and political level), and an inclusive, regular dialogue with all stakeholders, including parliament and civil society.
- Report annually on progress to the UNECE and at least three times to the High-level Political Forum, starting in 2017. The EU must involve the European Parliament, national parliaments, civil society and other actors.
- Show political leadership by adopting European Council Conclusions which call for all of the above and by regularly reviewing progress and adopting conclusions at the highest political level.

¹⁰ <http://green-budget.eu/wp-content/uploads/2016-04-27-GBE-Semester-Governance-Final.pdf>

¹¹ http://ec.europa.eu/europeaid/policies/financing-development_en

CHAPTER 2

POLICY COHERENCE FOR SUSTAINABLE DEVELOPMENT: MANY POLICIES, ONE OBJECTIVE

CHAPTER 2

SHIFT FROM PCD TO PCSD

Policy coherence for development (PCD) is a commitment enshrined in the Lisbon Treaty. Over the years, people's understanding of the significance of this principle for development has grown, and as a result, the principle has finally been included in a global agenda. Under Target 17.14 of the SDGs, the world has made a commitment to "enhance policy coherence for sustainable development". While it may appear abstract, Target 17.14 is in fact fundamental to sustainable development.

Having Target 17.14 on the agenda means that the EU has promised to take into account the impact of its other policies on developing countries, and not just exclusively in the realm of development cooperation. That is at least what it has committed to doing, on paper.

In practice, however, the EU has fallen short in its efforts to make its different policies more coherent with sustainable development. For example, its current trade policy, inducing developing countries to liberalise their markets in the coming years, may have a negative impact on the nascent industries and other fragile economic sectors in these countries. Likewise, the EU's increased focus on restrictive immigration policies, deterrence practices and strengthening migration management will not contribute to PCSD. Instead it undermines refugees' ability effectively to claim their human right to seek protection in safe countries. It also disregards the positive effects that migration can have on development. By adopting policies that maximise the development potential of migration, with a focus on safe, legal routes for migrants and refugees, the EU would be encouraging the circular migration that has contributed to the "brain gain" in many countries, and also more remittances, which now amount to three times the total amount of global ODA.¹²

The principle of policy coherence for development helps us find out whether or not we are taking from developing countries with one hand what we have been giving with the other.

With the adoption of the 2030 Agenda, policy coherence for development has been extended in both scope and importance. The concept has grown and changed to become "policy coherence for sustainable development" (PCSD), and it has attracted attention outside the development sector. As CONCORD we embrace the move from PCD to PCSD, which requires all policies in all fields to take the following questions into account:

1. Does it balance the four dimensions of sustainable development (social, environmental, economic and governance)?
2. Does it have a positive or negative impact on the ability of EU Member States or other countries to achieve sustainable development?
3. Does it have consequences for future generations?

The move from PCD to PCSD thus marks a significant change and an ambitious commitment. Embracing the basic principles of the 2030 Agenda means breaking down the North/South divide and looking at global challenges through the longer-term lens of sustainable development. Efforts for PCSD, therefore, should not only minimise negative external impacts: they should aim at fundamentally changing the economic, social and political system, to such an extent that future generations will be able to live in a world free from poverty, in which human rights and planetary boundaries are respected, and no one is being left behind.

The integrated nature of the 2030 Agenda also requires us to pay greater attention to the interlinkages between various goals and policies, instead of trying to tackle each problem individually. In order to rid the world of hunger (SDG 2), we need climate action (SDG 13) and the sustainable management of water resources (SDG 6). To protect our oceans and seas (SDG 14), we need to promote sustainable agriculture (SDG 2) and ensure that consumption and production patterns are sustainable (SDG 12).

A SUSTAINABLE INVESTMENT PLAN FOR THE EU?

In 2015 the European Commission launched the European Fund for Strategic Investments (EFSI) in order to attract private funds to finance investments in Europe, to boost job creation and economic recovery. After its first year in operation, it appears that, so far, the initiative has failed to take into account the different dimensions of sustainable development, in particular the social and environmental ones. Owing to demographic changes, deepening inequalities and high levels of unemployment, there has been a significant increase in demand for social services. This increasing demand has been met by insufficient or reduced public funding for the sector. This has led to the further social exclusion of disadvantaged groups throughout Europe. Although no substitute for the adequate public funding of high-quality social services within the EU, the EFSI can play a role by financing certain projects where private investment is already playing a role.¹³

¹² World Bank. October 6, 2014. *Migration and Development Brief 23*

¹³ <http://www.easpd.eu/en/content/study-unlocking-efsi-social-services>

Various actors in the social sector are urging the EU to ensure that the EFSI can contribute significantly to social inclusion in Europe, in particular through investment in high-quality social services.¹⁴ As regards the environmental dimension, the EFSI cannot yet guide a sustainable energy transition in the EU: during its first year, the fund leveraged €1.5 billion for fossil fuel infrastructure and 68% of its investment in transport was allocated to carbon-intensive projects.¹⁵ Thorough-going reforms are necessary if the fund is to guide a transition to sustainable energy and greater equality in Europe. Last but not least, according to the EIB, most of the EFSI investment went to projects in the 15 richest EU countries rather than the 13 poorer ones.¹⁶

Nor should the important governance aspect of sustainable development be forgotten. The rule of law, democratic participation, and civic space with a vibrant civil society must go hand in hand with economic approaches.

Nevertheless, while broadening the agenda, we must not lose the **essence of policy coherence for development: the EU has a legal obligation to prevent its policies from having detrimental external impacts on people living in poverty in partner countries.**

The EU and its Member States should regard PCSD as a binding requirement to assess the impact of EU policies (ex ante and ex post) on human rights, the four dimensions of sustainable development in developing countries, the reduction of poverty in all its dimensions and the eradication of extreme poverty. Additionally, it should take these assessments into account by rejecting any initiatives that clearly indicate detrimental impacts on the objectives listed above. This practice should be complemented by greater accountability through ensuring transparency and consultation with civil society and through improved redress mechanisms.

14 <http://www.socialplatform.org/events/eurodiaconia-morning-debate-junckers-investment-plan-what-place-is-there-for-social-investment/> and <http://www.socialplatform.org/blog/civil-society-dialogue-with-the-european-investment-bank/> and <http://www.socialplatform.org/news/european-association-of-service-providers-for-persons-with-disabilities-time-for-eu-investment-plan-to-do-more-for-social-services/>

15 <http://www.caneurope.org/docman/fossil-fuel-subsidies-1/2947-the-best-laid-plans-why-the-investment-plan-for-europe-does-not-drive-the-sustainable-energy-transition/file>

16 <http://uk.reuters.com/article/us-eu-investment-report-exclusive-idUKKCN1241PZ>

GOOD PRACTICE FROM SWEDEN TO ENSURE POLICY COHERENCE FOR SUSTAINABLE DEVELOPMENT

The Swedish government has announced that its coherence policy for sustainable development, *Policy for Global Development (PGD)*, will be one of the key tools for achieving the 2030 Agenda. The PGD dates back to 2003, when Sweden – through the national parliament’s adoption of a government bill – became the first country to adopt policy coherence for development officially. The PGD states that all policy areas should act coherently to contribute to equitable, sustainable global development, balancing the conflicts of interest between different policy areas and the PGD’s guiding principles. The policy is characterised by two guiding perspectives: a human rights perspective and a poor people’s perspective on development.

As part of “the revitalised PGD”, the government has upgraded the responsibility for PGD within the Ministry for Foreign Affairs to the highest civil-servant level, and coordination between ministries has been strengthened by the appointment of PGD focal points in each ministry, as well as by identifying heads of unit in each ministry who are responsible for implementation. The Swedish government has also set up an informal high-level group on the 2030 Agenda, with the aim of leading by example to make the 2030 Agenda a reality.

A key component of PGD, and part of Sweden’s implementation of the 2030 Agenda, are the ministerial work plans. The first annual PGD and the 2030 Agenda work plans for all government ministries were finalised in the first half of 2016. In May 2016 the government presented its biannual PGD report, which focused on the 17 SDGs, to the parliament. The report presents the work the government has done on implementing its PGD and the 2030 Agenda in 2014-2016, and identifies the goals it plans to achieve by 2017.

Civil society has welcomed the government’s initiative, and has recognised the links made between the PGD and the 2030 Agenda, and the work plans, as important steps in the right direction for creating a truly “whole of government” approach. The work plans have not been shared with the public, which creates an accountability gap. Finally, some of the goals presented in the biannual report are too vague and not ambitious enough, according to an analysis conducted by Swedish CSOs, and a clear link to a long-term strategy for achieving all 17 SDGs is also lacking.

IMPACT ASSESSMENTS

If there is any time in the policy-making cycle when the principle of PCSD should be respected, it is when the potential impact of new policy proposals is being assessed. How will a new trade agreement work out for partner countries in Africa? How will a new energy policy impact on the land rights of indigenous people in local communities in the Global South?

Many impact assessments (IAs) have been carried out by the European Commission since 2002, when it introduced them, and in 2011 their number totalled 138.¹⁷ When performing an impact assessment, the aim should be to advance policy coherence for sustainable development in a broad sense and to assess the potential economic, social and environmental consequences of a policy proposal.¹⁸ This is also mentioned in the Better Regulation Toolkit, recently developed by the European Commission.¹⁹

Given their vital importance for the effective implementation of PCD, it is worrying that of the total number of IAs conducted in the period of 2009-2015, and judged to be relevant for developing countries by Globalt Fokus (217 in total), only 41 (19%) were found to analyse sufficiently the impacts of the proposals in question on developing countries.²⁰ Globalt Fokus reports that 16 IAs were carried out in 2015, of which four should have looked at impacts in developing countries, but only one includes sufficient analysis. These numbers are very conservative, and if we consider that IAs of policies regulating European financiers are relevant in terms of their potential impacts in developing countries, two additional proposed regulations in the field of finance should also have been considered relevant to these countries. That would then mean that only 16% of the IAs carried out last year included sufficient analysis of impacts in developing countries.

17 Study *Globalt Fokus*, <http://www.globaltfokus.dk/arbejdsmrader/arbejdsmrader/politik/126-politikkoherens-for-udvikling>

18 http://ec.europa.eu/smart-regulation/guidelines/ug_chap3_en.htm

19 *Better Regulation Toolkit, Tool #30: Developing Countries, Better Regulation Guidelines*: "Through PCD, the EU seeks to take account of development objectives in all of its policies that are likely to affect developing countries, by minimising contradictions and building synergies between different EU policies to benefit developing countries and by increasing the effectiveness of development cooperation. PCD is therefore a fundamental element of the EU's development cooperation objectives...", see: http://ec.europa.eu/smart-regulation/guidelines/tool_30_en.htm

20 Study *Globalt Fokus*. The only impact assessment that included sufficient analysis of impact on developing countries was published in December 2015. The Commission began to apply the Better Regulation guidelines in May 2015

Likewise, in the case of trade agreements, sustainability impact assessments (SIAs) do not always look thoroughly enough at potential impacts on people living in poverty in developing or partner countries. A clear example is the SIA carried out concerning the much-debated Transatlantic Trade and Investment Partnership (TTIP), which "paid little attention to the impacts on nascent industries in Africa, to the possibility of diversifying African economies, or to poverty and inequality in Europe and Africa".²¹ In addition, the SIA should have influenced the negotiation process and its outcome. At least that is what SIAs (and IAs too) are intended to do, according to the Commission's Handbook on Trade Sustainability Impact Assessment.²²

As per the EU Action Plan on Human Rights and Democracy (2015-2019),²³ the EEAS and Commission aim to strengthen the contribution made by impact assessments to respect for human rights. They plan to do this in different ways. They want to make sure robust consultations are organised with relevant stakeholder groups exposed to major human rights risks. They want to incorporate an analysis of human rights impacts, including gender analysis, into the Commission's ex post evaluations of EU interventions with external effects. And they want to make the analysis of human rights impacts undertaken in impact assessments and other human rights-related policy instruments coherent.

Although the EC has taken steps to streamline its legislative processes through the Better Regulation Package, and to improve the quality of "better regulation instruments",²⁴ it has yet to be seen whether these measures, which entered into force in May 2015, will positively influence the quality and comprehensiveness of impact assessments from a PCSD perspective. Examples from the recent past give little reason for optimism, and show that a fundamental change in IA practice is needed.

Another crucial issue is how the European Commission and Member States take into account the findings of IAs when they are drafting policies and laws. Indeed, even when IAs point to potential negative impacts, only derisory flanking measures are contemplated, and CONCORD has been unable to find a single

21 CONCORD Europe, "The European Commission's 'Better Regulation package' will it serve poverty eradication and human rights?", p. 4, <http://library.concordeurope.org/record/1636/files/DEEEP-REPORT-2016-010.pdf>

22 *Handbook for Trade Sustainability Impact Assessment (2nd edition)*, p. 9, http://trade.ec.europa.eu/doclib/docs/2016/april/tradoc_154464.PDF

23 *EU Action Plan on Human Rights and Democracy (2015-2019)*

24 *Common Better Regulation Principles*, http://ec.europa.eu/smart-regulation/guidelines/tool_1_en.htm

example of a policy proposal being radically revised on the basis of IA findings indicating potential effects on developing countries. For example, the IA intended to inform the EU's proposal on public country-by-country reporting was quite thorough, and included a short chapter on developing countries which acknowledged the challenges and potential benefits of public country-by-country reporting for this group of countries. However, the "preferred option" advocated in the conclusion completely ignores the developing countries angle, and proposes a solution which erases the potential benefits for them.

ALARMING CASE: THE EU-VIETNAM FREE TRADE AGREEMENT

No impact assessment looked specifically at human rights impacts in Vietnam, and crucial recommendations by several CSOs were dismissed.

The negotiations for a free-trade agreement between the EU and Vietnam were concluded in early 2016, and the agreement is now pending ratification. It has been criticised by NGOs because insufficient attention has been paid to its negative impacts on human rights.

The Commission argued that a Trade Sustainability Impact Assessment carried out in 2009, on a proposed EU/ASEAN trade agreement, was sufficient. In March 2015, the EU Ombudsperson found that the European Commission's refusal to carry out a Human Rights IA of the EU-Vietnam Free Trade Agreement constituted "maladministration" and recommended that "the Commission should carry out, without further delay, a human rights impact assessment".²⁵ The Commission has not acted upon the Ombudsperson's recommendation, considering that an IA after the agreement came into force would be sufficient to meet its obligations.²⁶

The 2009 Sustainability Impact Assessment (SIA) looked at social impacts, but its findings were based on the scenario of a regional trade agreement, not a bilateral one.

The EC has since published an annex focusing on Vietnam and listing a number of negative impacts on people working in the agriculture sector and in nascent industries with higher added value.²⁷ It also pointed out negative impacts on women who risked being confined to low-skilled jobs. By highlighting the positive impacts expected in the long term, however, it made it possible for those concerns to be ignored.

A number of issues have not been covered by the SIA, such as the shrinking regulatory space for protecting Vietnam's nascent industries, the impact of the elimination of nearly all tariffs (over 99% of them) on the delivery of essential public services, and the potential impact on human rights in Vietnam of the provisions on the protection of European investors. Back in 2010, the European Chamber of Commerce in Vietnam threatened to withdraw European investment from the country if minimum wages were raised.²⁸

In May 2015, the EC organised a round table with stakeholders on human rights and sustainable development in EU-Vietnam relations.²⁹ The following stakeholders' recommendations were rejected: an ex-ante IA, an investor/state dispute settlement mechanism that would make sure investors' interests did not prevail over human rights, binding obligations on investors to respect human rights, and provisions restricting the privatisation of public goods.³⁰ The EC did, however, commit to an ex-post IA. This is welcome, but may come too late, after the damage has been done...

²⁵ <http://www.ombudsman.europa.eu/cases/recommendation.faces/en/59398/html.bookmark>

²⁶ Commission Staff Working Document, *Human Rights and Sustainable Development in the EU-Vietnam Relations with specific regard to the EU-Vietnam Free Trade Agreement*, p. 16, http://trade.ec.europa.eu/doclib/docs/2016/february/tradoc_154236.pdf

²⁷ http://trade.ec.europa.eu/doclib/docs/2013/may/tradoc_151230.pdf

²⁸ <http://www.ituc-csi.org/european-multinationals-position>

²⁹ http://trade.ec.europa.eu/doclib/docs/2015/july/tradoc_153624.pdf and ActionAid submission: http://trade.ec.europa.eu/doclib/docs/2015/july/tradoc_153625.pdf

³⁰ http://trade.ec.europa.eu/doclib/docs/2016/february/tradoc_154236.pdf

REGULATORY SCRUTINY BOARD

With the introduction of the Better Regulation Package by Vice-President Timmermans, the former Impact Assessment Board was transformed into the Regulatory Scrutiny Board (RSB), which, according to the Commission, “will scrutinise the quality of all IAs, major evaluations and fitness-checks of existing legislation and [will] issue opinions on the draft of the related reports in line with the relevant guidelines.”³¹

It is too early to assess whether the new RSB will have a positive effect on how impacts on developing countries are taken into account in IAs. Nevertheless it is crucial from a PCSD perspective for the European Commission to ensure that the RSB pays special attention to the reasoning and underlying evidence provided when an IA states that there are no negative impacts on poverty eradication or human rights in developing countries.

Given the Commission's renewed focus on citizens' empowerment³², CONCORD calls on the European Commission to put in place stronger safeguards to balance out stakeholders' representativeness better and, specifically, to prevent the private sector from dominating in public consultations. It is important to make sure that the public interest and human rights always prevail over private interests. This also means taking effective action to prevent conflicts of interest and revolving doors.³³

Human rights, including economic and social rights and gender equality, must be taken more seriously into account in all impact assessments. The impact on people living in poverty in Europe and in developing countries must be systematically considered and thoroughly investigated, with a greater focus on inequality. The EU must ensure that the perspectives of local communities who may be affected by an intervention are reflected in impact assessments, including taking into account the views of women and girls who rarely have a voice but are often most affected. IAs should then influence the design of the policies or legislation assessed.

31 *Communication on the Regulatory Scrutiny Board: Mission, Tasks and Staff* (May 2015), p. 2 http://ec.europa.eu/info/files/communication-regulatory-scrutiny-board-mission-tasks-and-staff_en

32 http://europa.eu/rapid/press-release_SPEECH-16-3043_en.htm

33 <https://www.alter-eu.org/documents/2016/09/alter-eu-complaint-2992016-barroso>

ANOTHER ALARMING EXAMPLE: THE EU REGULATORY FRAMEWORK FOR FINANCIAL SERVICES

The EU did not take into account submissions from non-industry groups. Only evidence from companies, and their interests, were taken into account.

In the autumn of 2015 the European Commission launched a public consultation to collect evidence from all interested stakeholders on the EU's finance legislation, with a particular focus on impact, gaps and unnecessary regulatory burdens.³⁴ This was done through an online survey in which citizens and organisations were asked to select pieces of legislation, summarise the problems associated with them, and provide relevant and verifiable empirical evidence and concrete examples.

In the summary of responses to the call for evidence, the evidence put forward in the public consultation by various civil society groups was largely ignored.³⁵ Only the interests and evidence of companies were taken into account. Little to no reference is made to several submissions from non-industry groups. In particular, NGOs making the case for the environmental and social dimensions of investment were completely ignored.³⁶ In fact, Global Witness, Friends of the Earth Europe and ActionAid had expressed concern that the Capital Markets Union Action Plan³⁷ failed to take into account, or even consider, possible impacts on non-European countries, despite the fact that the Commission had in theory committed itself (as part of “Better Regulation”) to conducting economic, social and environmental impact assessments for all legislative proposals, initiatives or acts, and also to include the international dimension, including likely impacts on third countries.³⁸

34 *Call for evidence: EU regulatory framework for financial services*, http://ec.europa.eu/finance/consultations/2015/financial-regulatory-framework-review/index_en.htm

35 http://ec.europa.eu/finance/consultations/2015/financial-regulatory-framework-review/docs/summary-of-responses_en.pdf

36 https://www.globalwitness.org/documents/18213/FoE_GW_and_AA_Briefing_Paper_on_CMU_Call_for_evidence_on_EU_financial_regulations.pdf

37 *A EU plan to mobilise capital in Europe to fund companies and infrastructure projects*

38 *Tool 30*, http://ec.europa.eu/smart-regulation/guidelines/docs/br_toolbox_en.pdf

In their reply to the call for evidence, these NGOs outlined their particular concerns about the weak EU financial regulations contributing to the problems of land grabbing and deforestation overseas.

The European Commission received a total of 288 replies, 19 of which came from civil society and trade unions, 7 from academia and think tanks, and 20 from Member States. The rest of the respondents mostly represented industry. The EC organised a public hearing on the call for evidence in May 2016, at which European Commissioner Jonathan Hill presented some of the conclusions drawn from the consultation.³⁹ Hill focused only on the cost of regulation, showing determination to remove the “burden” and “barriers” for business.⁴⁰

This example illustrates the lack of safeguards designed to prevent existing EC consultation tools from being dominated by particular sectors of society, in this case, the industries that would like to avoid being subjected to additional regulation. It also shows how difficult it is for CSOs working on the negative impacts of EU policies in developing countries to make their voices heard through such consultation tools.

Similarly, as a recent study points out, “from an overall perspective, [...] consultations seem to produce more significant effects and contribute more towards shaping the legislative proposal. What remains quite unclear is how much the single contributions are taken into account (or disregarded) and how they are assessed.”⁴¹

MONITORING AND REPORTING

Given how essential PCSD is for achieving sustainable development, special attention should be paid to how it is being integrated in monitoring, accountability and review frameworks at national and EU level. The single global indicator for Target 17.14 currently stands as “number of countries with mechanisms in place to enhance policy coherence for sustainable development”. This is at the same time both very vague and too narrow, and does not allow for adequate monitoring on policy coherence for sustainable development.

PCSD monitoring should be more extensive and should adopt a range of different approaches. It should involve statistical data illustrating how, for example, the EU has succeeded in decoupling its own sustainable development from the negative impacts in third countries, or from global challenges such as climate change. Or whether EU agriculture and trade policies have resulted in less dumping of EU agricultural products on developing countries, or its total elimination. This kind of statistical analysis should be complemented by a qualitative analysis of the use of PCSD mechanisms, or of impacts on human rights. Civil society can play a crucial role here by raising the voices of rights holders, especially from among the most marginalised groups.

Reporting on PCD has so far tended to emphasise mechanisms that are already in place – especially coordination mechanisms, as they have appeared to be the most common. This is far from sufficient. Any reporting that presents progress on PCSD also needs to look into the actual impacts of policies and into how these mechanisms have been used. It is one thing to have a mechanism in place, but is there any evidence that it has led to better, more coherent policy making? Has any policy actually been changed because of these mechanisms?

CONCORD would like to see the EU – and Member States too – rigorously monitoring its PCSD performance, in combination with its performance on the 2030 Agenda overall. A systematic listing is needed of all policies – both domestic and external – that have an external impact. This PCSD monitoring could be a biannual exercise, along with the biannual Eurostat report on sustainable development, which from 2017 onwards will be linked to the SDGs and their respective indicators. Systematic follow-up of ex-ante impact assessments and ex-post evaluations should be included in the monitoring.

Another recommendation is that the EU should be more transparent in its handling of conflicts of interests and incoherencies, in both the policy design and policy implementation phases. This will enable the parliament and external stakeholders – amongst them NGOs and other civil society organisations – to play their role more meaningfully in holding the Commission to account for respecting the principle of PCSD when implementing the SDGs.

39 http://europa.eu/rapid/press-release_SPEECH-16-1788_en.htm

40 <http://nordicfinancialunions.org/news/you-called-us-for-evidence/>

41 Cristina Fraenkel-Haeberle et al, *Citizen Participation in Multi-level Democracies* (2015), p. 359

MEASURING PCSD: A PROPOSAL FROM CSOS AND ACADEMIA IN SPAIN: THE POLICY COHERENCE FOR DEVELOPMENT INDEX⁴²

In the past five years, a consortium led by Spanish NGOs (some of them members of CONCORD) and universities, has developed the Policy Coherence for Development Index (PCDI). The tool predates the SDG agenda, but is an inspiring exercise showing how policy coherence for sustainable development can be measured.

The PCDI is a consistent, accurate academic tool designed to measure, evaluate and compare countries' commitment to sustainable, fair and equitable human development. It was developed to amplify the limited, hegemonic vision of the indicators typically used to measure progress, in particular gross domestic product (GDP). In that sense, the PCDI analyses both policies that make a positive contribution to a country's sustainable development and those that hinder it, not only within that country but also in third countries or on the planet as a whole. The PCDI thus provides a full sustainable development map supported by a complete statistical package from a representative sample of countries (133).

How does it work? The PCDI ranks countries according to how coherent their policies are in relation to development. To this end, it evaluates the performance of 133 countries – within 8 regions – by assessing 20 public policies focusing on 49 variables, grouped into 5 areas: social, environmental, economic, global and production. In addition, two cross-cutting criteria based on human rights and gender were introduced throughout the analysis. At the end of the day, the PCDI creates a ranking with scores between 0 and 100. First place goes to Denmark (89.60) and last place to Singapore (23.70). Austria's score is the median value, ranking 67th.⁴³

ROLE OF EU DELEGATIONS

In its 2015 PCD report,⁴⁴ the Commission stated that – in follow-up to its 2013-2014 reporting exercise with EU delegations – it would strengthen the role of the delegations in PCD by (1) setting up a mechanism for regular reporting on PCD by delegations and encouraging them to engage in regular discussions on PCD issues with partner countries, while strengthening their dialogue and follow-up with Member States; and (2) organising targeted training sessions on PCD for heads of cooperation when they meet in Brussels, as well as a PCD e-learning training course with a specific module devoted to the work in delegations.

CONCORD recommends that both the Commission and the EEAS staff in EU delegations worldwide should reach out more proactively to local groups of people whose rights are affected by EU policies, in order to engage in a dialogue with them, and that this should be closely monitored. CONCORD learnt from its survey in 2014 that only 30% of the respondents – CSO representatives from across the globe – had engaged with EU delegations on policy issues other than development aid, most of them because they had themselves proactively approached the EU delegation.⁴⁵ The PCD training for EU staff should give guidance on how to reach out to local stakeholders and how to deal with reports about serious human rights impacts by EU policies. The EU country roadmaps for engaging with civil society, the Human Rights Country Strategies and the Gender Action Plan also provide useful tools to build on.

Additionally, there should be more transparency about the feedback all EU delegation staff send to Brussels in their various reports, and about the analysis that is done at headquarters level, and how this feedback is taken forward. This feedback should also be discussed in more depth at the annual meetings of EU heads of delegation and of heads of cooperation.

⁴² <http://www.icpd.info/en/open-data/>

⁴³ Full ranking <http://www.icpd.info/en/?tipo=ranking>

⁴⁴ 2015 PCD report

⁴⁵ CONCORD (Jan 2015). *Mutual engagement between EU delegations and civil society organisations. Lessons from the field*, <http://concordeurope.org/2015/01/26/the-eu-delegations-watch-report-2015/>

THE EU SHOULD:

- Assess the impact of new policies in a genuinely participatory manner, especially the impact on sustainable development and human rights, and take this impact into account in its policy making.
- Monitor progress on Target 17.14 systemically, including through systematic biannual reporting on all domestic and external policies with an external impact.
- Ensure that, in the process of conducting impact assessments and public consultations, the arguments of less powerful actors in society, including women and girls, are attentively taken into account, in order to prevent industries and large companies from dominating these processes.
- Ensure that the Regulatory Scrutiny Board pays special attention to the reasoning and underlying evidence provided when an IA states that there are no negative impacts on poverty eradication or human rights in developing countries.
- Reach out more proactively, through its delegations worldwide, to local groups of people whose rights are affected by EU policies, and engage in a dialogue with them.
- Improve its redress mechanism to allow for cases of detrimental impacts by EU policies on development objectives to be raised, and make PCSD a binding commitment

CHAPTER 3

SUSTAINABLE FOOD CONSUMPTION AND PRODUCTION

- FROM FARM TO FORK

CHAPTER 3

INTRODUCTION

Hunger in our world today is a result of injustice, not scarcity. In a world of plenty, where more than enough food is produced to feed everyone, it is outrageous that close to 800 million people still live in constant hunger and that malnutrition is responsible for nearly half of all deaths in children under five.

Fighting hunger has been on the international agenda for decades, and received new attention following the food price shock of 2008 and its devastating consequences. The 2030 Agenda aspires to zero hunger worldwide by 2030. It focuses on promoting agriculture that is environmentally sustainable, wherever your plot of land may be. Even more fundamentally, the Agenda calls for a reform of our own food consumption patterns, especially with regard to the production, processing and trading of food (ingredients) imported from abroad.

The issue of food production and consumption needs to be approached from the perspective of justice and governance. Solving thorny food problems is not a simply matter of producing more overall – it is about who produces, for whom, how, and for whose benefit. It is about structural issues relating to models of production and trade, and about addressing systematic inequalities embedded in rights – and control – over land, seed and other productive resources, and the basic impact of poverty on access to food. Gender inequality, poverty, marginalisation and power inequalities distort the current food system. To have any chance of changing it for the better, we need to confront these injustices. In this regard, we very much welcome the 2030 Agenda. Taken together, SDGs 2 (zero hunger), 7 (affordable and clean energy), 8 (decent work and economic growth), 12 (responsible consumption and production) and 13-15 (climate action, life below water and life on land) will be our reference points when we continue to advocate for a durable EU contribution to sustainable production and consumption patterns worldwide.

Despite the huge benefits that investing in nutrition can bring (\$1 invested in proven nutrition programmes returns \$16 of benefits), and the generous pledge the EU made at the first Nutrition4Growth Summit in 2013, the fight against undernutrition remains globally underfunded. Undernourished children are less likely to reach their full cognitive and behavioural potential and are more likely to get stuck in the cycle of poverty.

In this chapter we discuss the main issues in the 2030 Agenda which the European Union needs to take up in the area of food production and consumption. Through its trade policies the EU should contribute to trade regimes that allow developing countries sufficient space to develop their own agricultural sector and that give smallholders the opportunity to boost local econo-

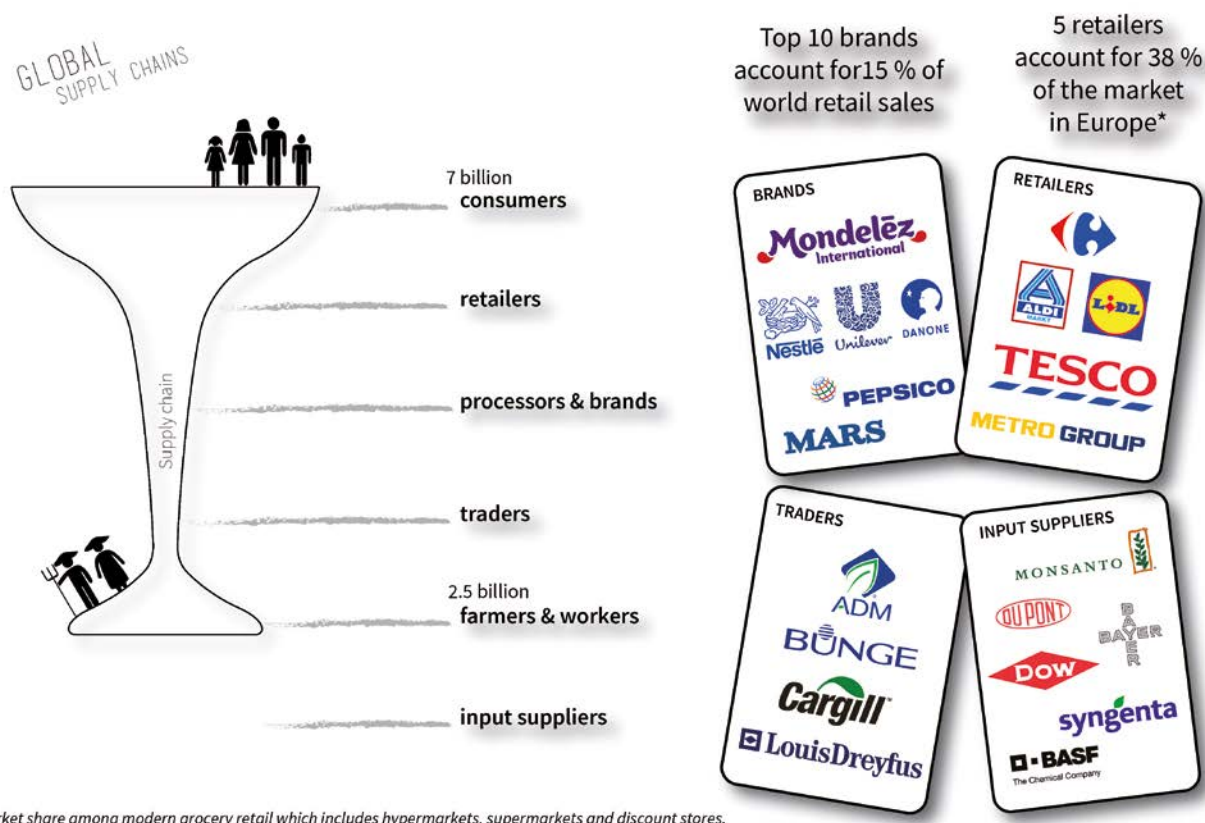
mies and livelihoods with support from public policies. Through its development and food security policies the EU should contribute directly to programmes that aim to strengthen small-scale producers, both women and men: supporting their self-organisation in cooperatives, networks and movements, both for a stronger economic role and a democratic voice, and enabling knowledge and skills to be shared in sustainable agricultural practices. Through its attention to private-sector operations, the EU has the responsibility and the leverage to address workers' rights in value chains, together with issues like land rights and the protection of natural resources.

GOVERNANCE, ACCOUNTABILITY AND THE RIGHT TO ADEQUATE FOOD

CONCORD's understanding of a just and sustainable global food system is grounded in human rights, most particularly the right to adequate food. The human rights approach is a lens through which the 2030 Agenda must be seen, and the EU's commitment to human rights needs to ensure that this is done. The Right to Adequate Food sets out the obligation to take progressive steps to create a world in which everyone is food secure and malnutrition is eliminated. This requires food to be available, affordable and of good quality, and for food supplies to be dependably resilient. The human rights approach compels us to pay special attention to those most vulnerable to hunger and to assess policies by the impact they have on these people, rather than dealing only in broad-brush terms. It leads us to ask questions along the entire food chain, from producer to consumer, including about how food is produced, by whom, for whom, at what cost and what its quality is.

All too often the vast majority of those involved in producing food and feeding people are excluded from contributing to decisions on the policies and laws that affect their livelihoods and everyone's food, with many decisions instead being made in non-transparent and secretive ways. A key issue for governance and accountability, therefore, is the genuine, participatory, democratic governance of our food systems. It is vital that the organised social movements of small-scale food producers (farmers, fishers, pastoralists), agricultural workers and consumers, especially women and youth, have a meaningful voice in making the decisions, at local, national and global levels, that affect us all on such a fundamental level as the right to food.

Global networks and social movements of small-scale food producers themselves have defined a policy approach for achieving the Right to Food, which is known as food sovereignty:



Source: Updated graphic from BASIC, "Who's got the power? Tackling Imbalances in Agricultural Supply Chains", November 2014. Commissioned by: Fair Trade Advocacy Office, PFCE (la Plate-Forme pour le Commerce Équitable), Traidcraft, and Fairtrade Deutschland

“**Food sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems. It puts the aspirations and needs of those who produce, distribute and consume food at the heart of food systems and policies, rather than the demands of markets and corporations.**”⁴⁶

The UN Committee on World Food Security (CFS), reformed in 2009 following the food price shock, is intended to be a central intergovernmental platform to improve the coordination and governance of the global food system. It is very inclusive, with formal participation by civil society, especially the organisations of people most affected by hunger. Governments must strengthen and respect the role of the CFS in order to enable it to live up to its role.

46 Declaration of Nyéléni. Sélingué: Mali, 2007. www.nyeleni.org/IMG/pdf/DeclNyeleni-en.pdf

The functions of the CFS on food and nutrition – which include coordination at global, regional and national levels, policy convergence, providing support and advice, promoting accountability and sharing best practice – are vital for countries implementing the 2030 Agenda, while the Global Strategic Framework for Food Security and Nutrition, which the CFS has developed, provides a depth of policy advice. The 2030 Agenda should be interpreted in light of those existing normative standards.

POWER IMBALANCES AND INEQUALITY

Tackling power imbalances is fundamental for all of development, including in the areas of agriculture and food security. Achieving the historic “zero hunger” goal cannot be viewed as a technocratic or managerial challenge; it is fundamentally political. We can achieve “zero hunger” only by redistributing power and addressing marginalisation. For instance, the power imbalance in the internationally traded food system is demonstrated by the classic example of an “hourglass system”, where a large number of producers and a large number of consumers are connected by funnelling through small numbers of multinational corporations who dominate production, processing, retail and financing, giving them an unsafe level of power. The small numbers are getting even smaller at the moment, with mega-mergers taking place between agribusiness TNCs. This reality is the context for discussions on the role of the private sector in agriculture, below, and also for policy approaches to addressing inequality, including gender inequality, and providing

support for small-scale food producers, as well as discussions on the need to rein in any corporate excesses.

The 2030 Agenda's recognition of the importance of access for small-scale food producers to land and other productive resources is welcome, but it needs to go one step further, to the recognition of rights in this context of inequality. Secure and equitable rights for small-scale food producers, including women, to productive resources – land, water, seed and livestock breeds, fisheries and forests – is vital for a food system that can produce healthy food for all. Rights to land need to be secured through a human rights-based approach that recognises all legitimate rights to ownership, tenure and the use of land, whether formally recorded or not. This includes rights over commons and publicly owned land, as also set out in the Voluntary Guidelines on the Responsible Governance of Tenure (VGGTs). The Voluntary Guidelines for Securing Small-Scale Fisheries offer further policy guidance on the governance of the tenure of fisheries, where small-scale fishers are often threatened both by large-scale fishing fleets and by industrial aquaculture. Water is essential both for production and for consumption. Water scarcity is an increasingly urgent issue, and as access to water becomes more and more politicised it is essential to secure the rights of small-scale food producers. It is also important to reinvigorate and strengthen community-led systems and agreements for the management of shared water resources.

Economic inequality translates into other forms of inequality, in particular reduced access to decision-making processes for people living in poverty. This is why a focus on growth in the agriculture sector – without balancing equally the environmental, social and governance dimensions – may further consolidate the power of elites and authoritarian governments, instead of contributing to the realisation of the 2030 Agenda. This illustrates the need for a human rights-based approach. It is crucial to look at power imbalances in each project, and to make sure support goes to those with less power. Enshrining the requirement for free, prior and informed consent (FPIC) in various EU financial instruments on agriculture would be a way to rebalance the power in favour of local communities, which are often left with unfulfilled promises from agricultural investment projects. Women are food providers. They make up 43% of the overall agricultural workforce,⁴⁷ and in many societies they have the main responsibility for food production, as opposed to growing cash crops. Much processing of food is done by women, whether for sale or for use within the household, and across the world they still do most of the cooking. Women, however, often

have weaker access to productive resources than men and are more likely to be malnourished. If food systems are undermined and economic situations deteriorate, this often disproportionately affects women – gender-based wage inequality increases, domestic burdens are magnified and levels of violence against women may get worse. Strengthening women's ability to claim their rights on the ground is a core part of building a fairer food system and achieving the 2030 Agenda.

While the internationally traded food system has high levels of corporate power, the majority of food consumed in the world is traded in local and domestic markets, most of it supplied by small-scale food producers.⁴⁸ The 2030 Agenda recognises the importance of access to markets for small-scale food producers, but it is essential to consider which markets should be the focus, and on what terms. Small-scale food producers need access to markets where they can get a fair, remunerative price for their produce, and in which they do not face immense power inequalities. The emphasis therefore needs to be on local, national and regional markets and economies. Policy support here can reduce hunger and poverty, creating jobs and livelihoods where people live, and supplying nutritious food locally. Many local rural economies and food systems interact with urban centres, and local food producers customarily sell to urban markets. As the eating habits of city dwellers change, demanding food that is easier and quicker to cook, with the right policy support this can foster local food-processing enterprises at a small and medium scale to meet that changing demand. Food producers and processors also seek the physical and market infrastructure to trade with other parts of their country, as well as cross-border with neighbouring countries. These opportunities should be developed with an intention to redress gender inequality.

A focus on local does not mean that larger-scale trade and markets have no role to play in achieving an effective, just and sustainable food system. However, local communities should be able to decide – through appropriate local and national democratic processes – where the policy and investment priorities should lie between local, national, regional and global economies. There must be sufficient policy space for these democratic debates and decisions.

Within the international food system, corporate power must be restrained. It is vital to ensure that trade and investment policies and programmes do not end up supporting environmentally destructive practices, legitimising the grabbing of land, water and genetic resources, or forcing economies to open up to unfair competition from food exports. Public policies must put in

47 FAO, "The State of Food and Agriculture 2010-11". Rome: FAO, 2011, p. 7 www.fao.org/docrep/013/i2050e/i2050e.pdf

48 CFS, "Recommendations on Connecting Smallholders to Markets". Rome: CFS, 2016

place the regulatory and legal frameworks to prevent this, meeting obligations to protect against violations of people's right to food and other human rights. This notably includes the obligation of European countries to protect human rights vis-à-vis European companies, even when the victims of human rights abuses reside in a foreign country.⁴⁹

A particular concern is the control large agri-food companies exercise over marketing and consumption. The promotion of high-fat, high-sugar and highly processed foods contributes to the health burdens caused by overweight and obesity, in both developed and developing countries. Marketing practices can also build retail and consumer waste into the system. Retailers reject food for cosmetic reasons and encourage over-purchasing through misguided two-for-one type offers on perishable produce. At the same time, a barrage of advertising builds over-consumption and waste into consumption patterns and aspirations.

ROLE OF THE PRIVATE SECTOR

There is a growing trend in Europe to see “the private sector” as a key source of investment in agriculture in developing countries, in order to boost growth and jobs, accompanied by the assumption that this would automatically contribute to the achievement of the SDGs. However, CONCORD has serious concerns about the way in which this approach is being framed at the moment.

This “private sector” label encompasses such a wide range of actors that it can mean many different things: from a small-scale food producer to a large transnational corporation. These different actors require different approaches, rather than one-size-fits-all policies, and not all of them have the same potential to alleviate poverty and inequality or to support small-scale food producers.

It needs to be remembered that the main investors in agriculture in developing countries are farmers themselves.⁵⁰ They contribute more than three-quarters of all agricultural investment in developing countries, and 85% in Africa.⁵¹ It is therefore crucial that any policy or programme measures to support investment by other private-sector investors do not undermine the small-scale food producers' own investments, while the key policy interventions should be to support the capacity of small-scale food producers to invest. Public investment is essential in providing public goods such as infrastructure, research, extension

services and financial support mechanisms, which complement small-scale producers' own investments.

When private-sector investment is used to mean investment by large corporations, then different issues need to be considered, not least the imbalances in power discussed above. The criteria for EIB blending⁵² in the agriculture sector, for example, offer some important safeguards, such as the inclusion of a reference to the Voluntary Guidelines on the Responsible Governance of Tenure (VGGTs) and due diligence for beneficiaries involved in projects that affect land rights. This is an important guarantee, but it is not sufficient to protect local communities from negative impacts: FPIC should be a requirement for all land and natural resource-based investments across the EIB's operations. The EU also needs to have a much more solid monitoring and evaluation system to measure the impacts on people living in poverty, and on women in particular, of its interventions in the food and agriculture sector. Holding European companies accountable for human rights violations in partner countries cannot rely on voluntary schemes but requires a robust, legally binding framework to be adopted.⁵³ Furthermore, there can be no responsible investment in large-scale agricultural projects in contexts where communities do not have the right freely to express and assert their opposition to projects affecting their lands. The case of Ethiopia provides an example that clearly illustrates this situation. European companies must ensure that their operations and investments not only “do no harm” in the countries they are working in but, importantly, they need to seek to “do good”. Responsible investment requires a civic space with a vibrant civil society, and the enjoyment of political and economic freedoms. Otherwise, it may well entrench inequalities of power and wealth even further. Participation, transparency, accountability and the defence of civil society's civic space must therefore be part of any intervention to boost corporate investment in agriculture in developing countries. Private financing needs to be subject to the same principles of aid and development effectiveness as public financing. It is important to stress that new modalities of financing, including those from the private sector, need to be recognised as additions and complementary to, not substitutes for, more traditional donor sources of ODA (and debt relief) – at least, in the medium term – and the critically important area of domestic resource mobilisation.

49 This responsibility is specifically recognised in the Voluntary Guidelines on the Responsible Governance of Tenure

50 FAO, “The State of Food and Agriculture 2012”. Rome: FAO, 2012, pp. 3-4 <http://www.fao.org/docrep/017/i3028e/i3028e.pdf>

51 FAO, “Who invests in agriculture and how much?” ESA Working Paper 12-09. Rome: FAO. <http://www.fao.org/3/a-ap854e.pdf>

52 European Commission, *Guidelines on EU blending operations*. Luxembourg: Publications Office of the European Union, 2015, p42. http://capacity4dev.ec.europa.eu/sites/default/files/file/02/05/2016_-_1539/mn-ba-15-001-en-n.pdf

53 Some possible legal frameworks at national level are outlined in Traidcraft, *Above the law? Time to hold irresponsible companies to account*. Gateshead: Traidcraft, 2015. www.traidcraft.co.uk/media/3fd38cf6-dcdd-4227-bbc7-3359ab7eeddd

ETHIOPIA

In 2015, Ethiopia received more than US\$ 2 billion in foreign direct investment.⁵⁴ Under the G7's New Alliance for Food Security and Nutrition, which is a corporate-friendly initiative covering twelve African countries,⁵⁵ and into which the EU and some Member States are pouring huge amounts of development aid, the highest disbursement so far – \$1.2 billion – has been to Ethiopia. Over \$25,000,000 was invested by private companies and reported under the New Alliance in 2014. The official New Alliance progress report for 2014-15 states that over 630,000 smallholders were “reached” as a result.⁵⁶ This means they received inputs and could access financial services; but it remains unreported whether this has improved their life in terms of higher income, food security, or access to health and education. The progress report further affirms that efforts under the New Alliance contributed to creating (the blatantly and shockingly low number of) 93 jobs in 2014.⁵⁷ Those private investments were leveraged with \$1,151 million donor disbursements in 2014.⁵⁸

Meanwhile, the devastating impacts for local communities of land grabbing for agriculture and infrastructure investments in Ethiopia have been widely reported.⁵⁹ The Ethiopian government severely restricts civil society and the media, yet even so, there have been consistent reports of arbitrary arrests and extra-judicial killings of protesters⁶⁰

and other people who question the development plans,⁶¹ of the enforced disappearance of people who protested against inequality in wealth distribution and projects affecting their land,⁶² and of the misuse of an anti-terror law against people voicing concern about land issues.⁶³

Over the last six years, Ethiopia has been experiencing stellar economic growth. Output from farming, Ethiopia's dominant industry, has tripled in a decade. Nevertheless, around 90% of the population suffers from numerous deprivations, ranging from insufficient access to education to inadequate health care, and more than 30 million people still face chronic food shortages.⁶⁴

In July 2016 the EU and Germany launched a €3.8 million land governance project (SRAI – Support to Responsible Agricultural Investments in Ethiopia), on the basis that “responsible investments in agriculture have the potential to unlock rural growth to the benefit of local communities”.⁶⁵ The SRAI project is supposed to help establish an accountable and transparent framework for socially and environmentally responsible agricultural investments in Ethiopia. CONCORD does not have a position on this specific project, which may involve very good initiatives. It should however be emphasised that responsible investment requires civic space for civil society and the enjoyment of political and economic freedoms, none of which is currently a reality in Ethiopia. It is possible for massive agricultural investment in commercial farms to create jobs, but past evidence shows that such investment has mostly consolidated the wealth and grip on power of an elite which rules the country by silencing dissenting opinions, using brutal force and violating human rights.

54 http://ec.europa.eu/commission/2014-2019/mimica/blog/european-external-investment-plan_en

55 African Union, “AU Calls for Improved Coordination & Collaboration with Private Sector to Improve Africa's Agricultural Potential”, press release, 23 September 2016, <http://au.int/en/pressreleases/31423/au-calls-improved-coordination-collaboration-private-sector-improve-africa's>

56 www.new-alliance.org/sites/default/files/resources/New%20Alliance%20Progress%20Report%202014-2015_0.pdf p. 21

57 www.new-alliance.org/sites/default/files/resources/New%20Alliance%20Progress%20Report%202014-2015_0.pdf p. 21

58 www.new-alliance.org/sites/default/files/resources/New%20Alliance%20Progress%20Report%202014-2015_0.pdf p. 21

59 www.survivalinternational.org/news/10691; www.oaklandinstitute.org/sites/oaklandinstitute.org/files/ethiopia-miracle-mirage.pdf; www.aljazeera.com/programmes/peopleandpower/2014/01/ethiopia-land-sale-20141289498158575.html

60 www.amnesty.org/en/countries/africa/ethiopia/report-ethiopia/

61 www.hrw.org/world-report/2016/country-chapters/ethiopia

62 This also includes non-agricultural investments with an impact on land www.hrw.org/report/2016/06/16/such-brutal-crackdown/killings-and-arrests-response-ethiopias-oromo-protests; www.hrw.org/news/2016/08/13/ethiopian-forces-kill-100-protesters; <https://business-humanrights.org/en/ethiopia-olympic-medalist-says-more-than-a-thousand-people-killed-for-protesting-against-land-acquisition-by-investors-to-locals-detriment>

63 www.slowfood.com/take-hands-off-earth/

64 www.aljazeera.com/programmes/peopleandpower/2014/01/ethiopia-land-sale-20141289498158575.html

65 <http://news.trust.org/item/20160830094551-9q7sl/>

PLANETARY BOUNDARIES AND SUSTAINABLE, RESILIENT AGROECOLOGICAL SYSTEMS

Our approach to food systems must also be shaped by the need for us to live within the boundaries of what our planet can provide. Agricultural production, transport and consumption have profound effects on climate change (where intensive industrial agriculture contributes significantly to greenhouse gas emissions), land use change, freshwater consumption, phosphorus and nitrogen cycles, biodiversity loss and chemical pollution. For all of these, boundaries have been identified which, if crossed, could lead to irreversible and abrupt environmental change that would threaten human survival⁶⁶ – and in the cases of biodiversity, phosphorus and nitrogen we appear to have already crossed those boundaries. Yet agriculture can also be part of the solution. We must make the deliberate choice to opt for approaches to producing food, for all the world's people, which have the potential to help restore the environment.

In this context, the 2030 Agenda's reaffirmation of the need for sustainable food production systems and resilient agricultural practices is welcome (2.4). This need must be met through the design and management of sustainable agroecosystems which can fulfil the food and nutritional needs of our growing population. Agroecology is a scientific approach drawing together ecological, sociological and economic disciplines to balance the needs of communities and the integrity of ecosystems. This means integrating rather than segregating, increasing diversity instead of restricting it, and regenerating, not degrading. It also means thinking of inputs and waste in terms of cycles – something that is also important for the 2030 Agenda's Goal 12.⁶⁷ We need to stop seeing agriculture as a linear process in which fossil-fuel-derived inputs are treated as endless, nutrients are lost, chemical residues are ignored and animal feed is transported halfway round the world.

Waste is a particularly glaring problem within the food system, where it is estimated that, worldwide, approximately one-third of all food is wasted or gets lost all along the chain from producer to consumer.⁶⁸ Having signed up to SDG 12.3, the EU and its Member States have set a high ambition: “By 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses.” Within the production system, production for local economies with short supply chains can reduce waste. This is especially the case when it prevents unfair contracts where powerful buyers can cancel at short notice owing to retail changes or cosmetic concerns, leaving crops unharvested in the field, and the farmer with no income. It is also important to invest in storage and processing facilities, a reliable energy supply and transport infrastructure.

We also know that we need a food system that is resilient and can deal with the shocks and changes that will inevitably face us. Natural and manmade disasters have been increasing in frequency and severity, and we need a food system that can cope with these and ensure long-term sustainability. There is growing evidence that agroecological practices are the most effective way to ensure adaptation and resilience to climate impacts. Secure land tenure also plays a key role for resilience. This should be reflected in the EU's interventions in agriculture.

Genetic diversity is an issue of particular concern (SDG 2.5). The diversity of traditional crop and livestock species, varieties and breeds which is conserved by small-scale food producers is an immense productive resource. While the 2030 Agenda makes particular reference to seed banks (an *ex situ* approach to conservation), the profound importance of this *in situ* conservation by small-scale food producers also needs to be recognised and supported. The rights of farmers to re-sow, preserve, protect, exchange and sell their seed must be respected. Farmers' rights, and the need for equitable benefit sharing when genetic resources are commercialised, are set out in the International Treaty on Plant Genetic Resources for Food and Agriculture.

⁶⁶ Rockström et al., “Planetary Boundaries: Exploring the Safe Operating Space for Humanity” *Ecology and Society* 14(2): 32, 2009, www.ecologyandsociety.org/vol14/iss2/art32/ and Stockholm Resilience Centre, *planetary boundaries research*, www.stockholmresilience.org/21/research/research-programmes/planetary-boundaries.html

⁶⁷ For more on agroecology, see IPES-Food: “From Uniformity to Diversity: A paradigm shift from industrial agriculture to diversified agroecological systems”, June 2016, http://www.ipes-food.org/images/Reports/UniformityToDiversity_FullReport.pdf

⁶⁸ High Level Panel of Experts on Food Security and nutrition, *Food losses and waste in the context of sustainable food systems*. Rome: CFS, 2014 <http://www.fao.org/3/a-i3901e.pdf>

THE EU AND ITS MEMBER STATES SHOULD:

- Reinforce human-rights approaches by focusing efforts on addressing power imbalances in food systems, and contribute to the achievement of the Right to Adequate Food.
- Respect and strengthen the role of the UN Committee on World Food Security (CFS) in order to improve the coordination and governance of the global food system, including in the implementation of relevant aspects of the 2030 Agenda.
- Opt for sustainable, resilient, agroecological methods of production, both inside and outside Europe, that maintain and increase biodiversity, regenerate ecosystems and opt out from production methods that ignore planetary boundaries.
- Focus investment policies on the provision of public goods that complement farmers' own investments, rather than focusing on the facilitation of large-scale private-sector investment. Ensure that EU investment, aid and other policies do not legitimise land or water grabs and are not conducive to human rights violations.
- Implement an appropriate framework including regulation, incentives and facilitation so that states, the private sector and civil society all take robust measures to tackle food loss and waste in unsustainable production models, unfair buying practices and unsustainable consumption patterns. This framework should address the need for private sector actors to improve the ways in which they integrate negative externalities of their activities, such as damage to natural resources.

CHAPTER 4

MIGRATION: SAFEGUARDING THE DEVELOPMENT ASPECT AND RESPECTING HUMAN RIGHTS

CHAPTER 4

INTRODUCTION

Migration is currently at the top of the political agenda in the European Union, as confirmed again recently in the State of the Union speech by European Commission President Juncker⁶⁹ and at the Bratislava Summit. Migration has also gained ground on the international agenda. With the adoption of the 2030 Agenda the world's leaders undertook to "facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of well-managed migration policies", and to ensure "full respect for human rights and humane treatment of migrants, regardless of migration status, of refugees and of displaced persons".⁷⁰ These commitments were followed up at the UN General Assembly in September 2016, where a process of developing Global Compacts on migrants and refugees respectively was agreed upon.⁷¹

At the same time, however, migration has been framed more and more in terms of security rather than human rights. This is reflected in increasingly restrictive immigration policies and a fuelling of fear, which in turn feeds growing anti-immigration sentiments across the EU.⁷² The development dimension of migration is losing political attention, while significant amounts of EU development aid are being used to curb migration.

Since June, migration management has moved to the centre of the EU's relationships with selected priority countries, with the aim of curbing onward movement towards Europe. Not only is this detrimental to the EU's standing and leverage in the world, but it erodes a foreign policy based on the rule of law and human rights and sets a bad example to other governments that are hosting refugees. It also undermines the importance of migration for sustainable development in third countries. The EU's increasingly securitised approach to migration in its development cooperation is by no means an appropriate response, and it contradicts the principle of policy coherence for sustainable development (PCSD) – it could even be seen as a PCSD "in reverse".

Despite the prevalent negative rhetoric, migration offers many opportunities for development, such as innovation, economic growth and personal development. The implementation of the

2030 Agenda provides a welcome opportunity to counteract the current narrow, short-term security framing of migration and to focus instead on a cross-cutting approach, highlighting the people-focused aspects of the 2030 Agenda, respecting and protecting migrants' and refugees' human rights and taking their development potential into consideration.

RECENT CHANGES IN THE EU'S APPROACH TO MIGRATION

In 2016 alone, the EU has launched a long list of reforms in the areas of migration and displacement, which severely undermine the Union's ability to deliver on its commitments to the 2030 Agenda and PCSD. The **EU-Turkey deal** in March 2016 was a hasty response to the growing numbers of asylum seekers and migrants who entered the EU in 2015. The vast majority of people attempting to reach Europe in 2015 and 2016 come from countries in which there is armed conflict or systemic human rights violations. The EU-Turkey deal was a watershed in the sense that it set the direction of the EU's new approach to migration and development. The deal represents a move towards increasingly restrictive migration policies and the externalisation of the EU's border management and protection responsibilities.

Even though the EU-Turkey deal has been criticised by numerous human rights organisations for its human rights implications, the EU continues to consider it a success. As a result, the European Commission has presented the EU's **New Partnership Framework with third countries**,⁷³ inspired by the EU-Turkey deal. The New Partnership Framework, endorsed by the Council in June 2016, further cements the mechanism of outsourcing protection responsibilities to a third country in exchange for EU aid. The New Partnership Framework intends to redirect existing instruments and tools available in external cooperation, and to use a mix of positive and negative incentives in order to curb refugee and migrant movement to the EU, thereby making development cooperation and trade preferences dependent on a third country's cooperation on migration management. This type of conditionality, based on return and readmission and on a state's ability to prevent onward movement, should not, however, form the basis of partnerships with third countries, nor should receiving development aid or trade preferences depend on a country's cooperation on migration.⁷⁴

69 European Commission (2016), *State of the Union*, http://ec.europa.eu/priorities/state-union-2016_en

70 Target 10.7 and paragraph 29 of the Declaration text in the 2030 Agenda

71 UNHCR New York Declaration on Refugees and Migrants, September 2016

72 *Ready for Change? Global Goals at home and abroad!*, https://www.partos.nl/fileadmin/files/Documents/Partos_RFC_Publication_May_2016.pdf, p. 69

73 European Commission (2016), *Communication on establishing a new Partnership Framework with third countries under the European Agenda on Migration*, http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/communication_external_aspects_eam_towards_new_migration_ompact_en.pdf

74 110 NGOs tell EU leaders to reject migration plan (2016), <https://concordeurope.org/2016/06/27/eucouncil-migration-joint-ngo-statement/>

In parallel with these changes in its external policy, the EU is also reviewing its Common European Asylum System (CEAS). It could have used this review to deliver on its commitments in the 2030 Agenda by expanding the legal pathways for refugees and migrants to reach Europe safely. However, this is not the focus of the reform. While the complete reform seeks to encourage greater sharing of responsibility between the Member States, more crucial elements include obligations on Member States to assess whether an asylum seeker's application can be deemed inadmissible on the basis of safe-country concepts, and the introduction of sanctions and punitive measures for asylum seekers who do not remain in the first country of arrival.

Hasty actions increase the democratic deficit of the policy-making process. The simultaneous reform of a total of seven different regulations relating to asylum and return increases the risk of blurring the overview of the process and leading to incoherent or even counterproductive policies. In general, the speed of the process for producing new migration policies makes it difficult for all stakeholders to get involved in a constructive way. To keep everybody involved in new migration policies, it is essential to allow space for the European Parliament and civil society organisations to be involved and to play their crucial watchdog role.

The EU must apply a human rights approach to mobility and adopt policies that maximise the development potential of migration, with a focus on more safe, legal routes for migrants and asylum-seekers, as well as greater sharing of responsibility between Member States.

CONSEQUENCES OF THE USE OF EU DEVELOPMENT POLICY TO CURB MIGRATION

Using development policy to curb irregular migration is the exact opposite of what the principle of policy coherence for sustainable development commands. The Lisbon Treaty clearly states that EU development cooperation must have the reduction and, in the long term, the eradication of poverty, as its main objective. Over the last year we have seen a disregard for the development effectiveness principles which all EU Member States have committed to in Paris, Accra and Busan. For example, EU development funds are being used to manage migration with the aim of preventing people from moving, regardless of the situation in their country of origin.⁷⁵

Conditionality based on returns and readmissions and the ability of states to prevent onward movement undermines the principle of alignment, and also that of democratic ownership, as well as predictability and the spirit of partnership which is supposed to be

the basis of development cooperation. In addition, aid conditionality and a lack of proper consultation with partner countries and communities also runs counter to the objectives in SDG 16, to build good governance and promote peaceful and inclusive societies for sustainable development. The EU must respect the principles of development effectiveness, including the principles of ownership and alignment, and must refrain from imposing conditions on aid.

CONSEQUENCES FOR HUMAN RIGHTS

Key principles for the 2030 Agenda are the human rights-based approach and the principle of leaving no one behind.

With the EU's new approach to migration, as manifested in the EU-Turkey deal and the New Partnership Framework with third countries, the EU is not able to guarantee that these principles are respected in practice, as border control is outsourced to countries outside of the EU. The EU's obligations in terms of respecting, promoting and protecting human rights, including the right to seek asylum from persecution, should be at the core of the EU's approach to migration and displacement.

Women's and girls' rights and child protection: The lack of safe, legal channels for reaching the EU has particular consequences for women and girls. As the journey to Europe is often considered too expensive and too dangerous for a whole family, a male member of the family is often sent first, which means that women and children are left behind in conflict areas. When left behind, many women are left with no choice but to engage in negative coping mechanisms and many girls are forced into child marriage, owing to a lack of protection and lack of access to financial resources.

Women and girls are also at risk of becoming victims of sexual violence and human trafficking, both when staying behind and when trying to make it to Europe on their own, yet services to assist them are scarce.⁷⁶ In refugee camps and on migratory routes the lack of access to health services, including for sexual and reproductive health, also poses a significant problem with devastating consequences, such as an increase in the transmission of HIV/AIDS, unwanted pregnancies and women and adolescent girls giving birth without any support from health-care workers.⁷⁷ Accessing individual registration and documentation presents other hurdles, such as the practice of registering only the "head of the family", usually the eldest male.

⁷⁶ See also *Women's Refugee Commission (2016), "EU-Turkey agreement failing women and girls", <https://www.womensrefugeecommission.org/images/zdocs/EU-Turkey-Refugee-Agreement-Failing.pdf>*

⁷⁷ *Initial Assessment Report: Protection Risks for Women and Girls in the European Refugee and Migrant Crisis. 2015. UNHCR, UNFPA, Women's Refugee Commission*

⁷⁵ https://ec.europa.eu/europeaid/sites/devco/files/t05-eutf-hoa-reg-09-better-migration-management_en.pdf

According to UNICEF, one in eight migrants is a child. Half of refugees are children.⁷⁸ However, the lack of detailed sex- and age-disaggregated data on migrants and refugees makes it more challenging to devise appropriate response and protection strategies. Given that children are particularly vulnerable to exploitation while travelling, Europe must make a concerted effort to work with partners to protect children better. Furthermore, EU Member States must end the practice of detaining children regardless of their or their parents' migration status. Cross-border child protection systems must be implemented to mitigate the risk that unaccompanied and separated children may be subjected to exploitation, trafficking or other forms of violence or harm.

MIGRATION, ECONOMIC DEVELOPMENT AND THE PRIVATE SECTOR

Past experience has taught us that circular migration contributes to the “brain gain” in many countries and that remittances from diasporas are now amounting to three times more than total global ODA.⁷⁹ Nevertheless, the discourse on how migration can boost economic development has deteriorated over the past year. The EU considers that businesses have an important role in achieving the 2030 Agenda, and increasingly tries to strengthen the link between the private sector and development via blending mechanisms, e.g. by using ODA to trigger what is considered riskier investment by the private sector, so that the latter takes on a part of the risk. In seeking to leverage or co-finance programmes with the private sector, it is important to ensure that financial and development additionality are demonstrable, that risks for people and the environment are effectively minimised, women's rights and economic opportunities are effectively promoted, and the public sector is not undermined but, rather, strengthened. Responsible private-sector investment and pro-poor policies that include proactive and targeted support for micro- and small enterprises, access to decent work, and human rights due diligence in line with the UN Guiding Principles on Business and Human Rights – all of these can make an important contribution to sustainable development.

When it comes to the role of the private sector in supporting refugees or migrants, the pre-conditions they would be needed for them to flourish and obtain decent jobs cannot be considered in isolation from the needs of the hosting region. In line with the “Lives in Dignity” Communication, a migration-sensitive form of EU development cooperation is needed, integrating the needs and rights of refugees and migrants in national development plans. Subsequently, working with and creating an enabling the

environment for the private sector is one element in achieving those plans. The focus of EU development cooperation must be based on a thorough socio-economic analysis of the entire region, to determine what kind of investment in productive infrastructure and public goods would be most beneficial and most sustainable, looking at the economic sectors that are most accessible to both refugees and migrants and to vulnerable host communities in rural and urban settings. The jobs created in this process must be decent ones and, regardless of status, labour rights must be respected, preventing social tensions due to illegal, underpaid work. If supporting livelihoods is the main purpose, then on top of support for the private sector, attention would also need to be given to making land available in areas accessible to refugees with skills in farming, to boost food production and nutrition. In addition, access to finance must become an option for self-employed people in vulnerable host communities and for refugees and migrants alike (i.e., financial inclusion).

Given the importance of a holistic approach, we are concerned about the new **EU External Investment Plan (EIP)**, which is based heavily on the EU's internal investment plan (see above). The EIP claims to seek to address the “root causes of migration”, as if migration were a development problem, without acknowledging the positive contribution it makes to development. Rather, the EIP should focus on reducing the need for people to engage in forced migration. CONCORD nonetheless remains sceptical as to whether providing ODA to leverage European private investment is the appropriate way to address the root causes of forced migration such as climate change, conflict or even lack of economic opportunity. Moreover, while the EIP's likely focus on fragile countries and regions where the private sector is least inclined to invest seems laudable, the fact is that in the absence of adequate legal frameworks that guarantee corporate accountability and transparency, encouraging a greater presence of transnational or multinational corporations in such countries may in fact undermine sustainable development and human rights rather than further them.

An improved understanding of the drivers of migration and a stronger evidence base are needed. People migrate for a wide variety of reasons: while some flee war zones, generalised violence or natural disasters, others migrate to find income and labour opportunities, and even more leave for a mix of these concerns. Indeed, refugees and migrants have both distinct and overlapping protection concerns, needs and vulnerabilities, and these similarities and differences must be accounted for in policy, programming and legal frameworks. In the face of closing borders and deterrence policies, the right to seek asylum must be safeguarded.

⁷⁸ UNHCR *Global Trends 2015*

⁷⁹ World Bank. October 6, 2014. *Migration and Development Brief 23*

The EU and its Member States are legally bound by the 1951 Refugee Convention and subsequent protocol. There are, however, no internationally agreed norms for regulating migration. We therefore welcome the outcome of the High-level Plenary Meeting of the UN General Assembly on 19 September 2016 to develop a Global Compact for Migration and strongly encourage the EU to contribute constructively to this, as well as to the Global Compact on Refugees, which holds the prospect of reaffirming and strengthening best practice in responding to refugees and asylum seekers. Host and donor governments, and the international community, need to understand better the root causes of movement, the drivers and motivations for migration and the scale and scope of protection gaps. Current rhetoric in Member States is not sufficiently evidence-based, but rather anecdotal and short-termist. We therefore recommend that donors should fund longer-term data gathering and protection monitoring along migration routes.

Together we urgently need to develop a new, positive narrative on migrants and refugees.

THE EU AND ITS MEMBER STATES SHOULD:

- Ensure that realising human rights, balancing the four dimensions of sustainable development in developing countries, reducing poverty in all its dimensions, eradicating extreme poverty, and fighting inequality are the main objectives of the EU's development policy and refrain from using ODA to achieve the Union's own interest of managing borders and migrant flows. The EU must respect the principles of development effectiveness, including the principle of ownership and alignment and must stop applying conditions on aid linked to management of migration and displacement.
- Establish a regulatory framework to ensure safe, regular pathways for asylum seekers to deliver on EU commitments under the 2030 Agenda and elaborate existing migration instruments, such as the 2015 European Agenda on Migration, to develop a legal framework that provides regular mobility opportunities for both highly-skilled and low-skilled workers.
- Ensure that cooperation with non-EU countries on migration and displacement upholds all human rights. The return of asylum seekers and migrants who do not meet international or more protective national standards should be conducted in safety, dignity and with respect for their human rights. Primacy should be given to voluntary return, with cooperation between states in reception and reintegration assistance, paying particular attention to women and children.
- Commit to funding longer-term systematic data collection about/along migratory routes to understand the drivers of migration and develop a positive, evidence-based narrative on migrants and asylum-seekers.

CHAPTER 5

MEASURING PROGRESS: THE END OF GDP?

CHAPTER 5

THE TRUE COST OF GDP-DRIVEN GROWTH FOR PEOPLE AND PLANET

The 2030 Agenda lays out a transformational approach to improving human well-being within the boundaries of the Earth's ecosystems. As part of that approach, it envisages (in SDG 8) sustained, inclusive and sustainable economic growth, with 7% growth in GDP in least-developed countries. That very same Goal does, mildly, recognise the tension it creates between promoting economic growth and growth's negative effects on the environment, when it suggests that countries should try to decouple economic growth from environmental degradation. Unfortunately, this exhortation ignores the considerable – and sometimes irreversible – impacts that current models of economic growth have both on society and on the environment and climate change. And it utterly fails to address the fact that economic growth, if sustained and as currently pursued, is certainly not sustainable. It is also anything but inclusive.

There is often an assumption that an increase in economic growth, as measured by GDP, produces benefits for all and improvements in their quality of life. Our economic and social model is built on this assumption. Since the 1980s it has resulted in waves of deregulation to create the highly globalised world we live in. While creating islands of prosperity, globalisation has fuelled the expansion of systems of production, trade and finance (see, for instance, World Economic and Social Survey 2013: Sustainable Development Challenges)⁸⁰ that are resource-intensive, straining the planet's carrying capacity and greatly contributing to climate change. Socially, it has led to the concentration of power, wealth and influence in the hands of fewer and fewer individuals and has deepened income inequality between and within countries. The premium set on GDP-driven growth has fostered a consumerist culture across the world for those who can afford to participate in it, whereby people are reduced to “consumers” and societies to “markets”. Natural resources are assumed to be a bottomless reservoir from which we can help ourselves at will, and the planet is presumed to have an infinite capacity to absorb all our waste and pollution. This model has allowed market mechanisms to determine the prices for energy, raw materials, labour and the disposal of waste: prices that do not reflect the real social or environmental costs of these goods and services. Profits are channelled for the benefit of a few rather than society and the planet as a whole. The benefits of growth simply do not “trickle down” to reach everyone. In and of itself, economic growth will not reduce poverty or inequality, as has been proven in many regions.⁸¹

⁸⁰ *World Economic and Social Survey 2013: Sustainable Development Challenges*

⁸¹ *Report by the Commission on the Measurement of Economic Performance and Social Progress*, http://www.insee.fr/fr/publications-et-services/dossiers_web/stiglitz/doc-commission/RAPPORT_anglais.pdf

We therefore need to challenge the narrative about the singular imperative of economic growth without considering the type of growth and progress required to make real change and deliver well-being for all. An increase in GDP does not mean that everyone has improved healthcare or access to education; it does not ensure food security or better nutrition; it does not necessarily correlate to poverty reduction; it does not capture the loss of natural resources or the degradation of the environment; it does not lead to equality of opportunities, and it is simply gender-blind. Even the architect of GDP admitted back in 1934 that “the welfare of a nation can, therefore, scarcely be inferred from a measure of national income”.⁸² A reliance on GDP measures makes us complacent because they hide the true cost of growth for people and planet.

In Nigeria, GDP growth has been at 5% over the past 20 years. This is higher than the average African or global growth rates. Despite this, poverty has also increased from 54% in 2003 to almost 70% in 2012. This means that 112 million people out of a population of 170 million are living in poverty. What is more, according to the 2012 National Youth Survey report, 45% of young people between 15 and 35 are unemployed, and four out of every five graduates have no job. In Nigeria, the richest 10% earn more than twice as much as the poorest 40%. Nigeria's growth did not reduce inequality.

Guatemala has the largest economy in Central America, with a GDP growth rate of 3% in 2012 and nearly 4% in 2015, yet poverty grew from 51% in 2006 to 59% in 2014. Indigenous people have much higher poverty rates than non-indigenous Guatemalans. Inequality in political power is stark, with only 15 indigenous people among the current 158 members of parliament.⁸³

Yet despite the evidence that growth is unsustainable, policy-makers continue to negotiate bilateral trade and investment agreements in the elusive quest for “sustained” economic growth. These agreements will only serve to aggravate the impacts of the prevalent model on poverty and inequality, on climate change and on planetary well-being.⁸⁴ The failure to enforce international conventions and agreements for the protection of the environment or human rights has reinforced such negative trends. There is a total lack of safeguards at all levels to prevent business enterprises from becoming complicit in or tacitly benefiting from hu-

⁸² *Growth and Development, Discussion paper, July 2011, BOND, UK*

⁸³ *ActionAid, “Not ready, still waiting: Governments have a long way to go in preparing to address gender inequality and the SDGs”, Sept 2016*

⁸⁴ *See for instance Lilliston B., Sept. 2016*

man rights violations. The fundamental function of the economy, as a social institution to serve people and the planet, has been forgotten in the quest for efficiency and to maximise returns. In the face of the global challenges that we are facing, and in light of the recurring economic and financial crises we experience, it is essential to reorient the economy to fulfil its core functions.

If the 2030 Agenda's commitment to "leave no one behind" is to be fulfilled, policy-makers clearly must not rely solely on economic growth, as measured by GDP. Rather, they should look to address far more comprehensively what constitutes progress for people and planet, and use the economy as one tool to achieve such progress. New indicators will be needed to measure inclusive, sustainable progress in the social, economic and environmental domains, which should focus on the notion of the well-being of people and planet, in line with Article 3 TEU, which states that the social mission and objectives of the EU are to promote the well-being of its peoples. Such indicators might include, for example, access to adequate food, shelter, good-quality basic services, a healthy life expectancy, income security, decent work, a good work-life balance, good relations in one's community, physical security and a clean and healthy environment. Similarly, other indicators, such as measures of greenhouse gas emissions, percentage of renewable energy in the mix or gender equality might also be considered. Whatever the final choice, a "well-being index" must cover a wide range of issues of importance for people and planet, and will necessitate a combination of both qualitative and quantitative indicators.

Considerable work has already been undertaken both at country level and by international institutions, such as the OECD, to explore various options for alternative and more comprehensive measures of progress.⁸⁵ The 2009 report by the Stiglitz-Sen-Fitoussi Commission was a major catalyst in this regard.⁸⁶ The need to look beyond GDP and find alternative and complementary indicators by which to measure progress has more recently been reflected in Goal 17 of the 2030 Agenda and in the EU's Council Conclusions on a transformative post-2015 agenda.⁸⁷

CONCORD therefore urges the European Commission and the EU Member States to consider, far more seriously and urgently, adopting a common set of indicators covering social, economic and environmental factors which would be used in all relevant policy- and decision-making.

⁸⁵ <http://www.oecdbetterlifeindex.org/>

⁸⁶ *Report by the Commission on the Measurement of Economic Performance and Social Progress*, http://www.insee.fr/fr/publications-et-services/dossiers_web/stiglitz/doc-commission/RAPPORT_anglais.pdf

⁸⁷ http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/146311.pdf

In order for the full value of such additional indicators to become clear, there must be a real commitment over a period of time by policy-makers not only to collect and monitor the data, but to invest in those areas which are shown to be weaker and to track the resulting improvements. In this way, the public will also be introduced to and will grow to appreciate the need for a wider range of measurements to capture key aspects of their lives, and GDP will be seen to be a far less relevant indicator. That should in turn trigger the necessary transformative shifts in policy-making and behaviour.

MOVING TOWARDS MEASURES OF WELL-BEING

Rio de Janeiro in Brazil has followed the example of Bogotá, Colombia, to create a social progress indicator assessing the social and environmental performance of different parts of the city, clustered under three themes: "basic human needs", "foundations of well-being" and "opportunity". Ecuador's National Plan for Good Living is based on the concept of *buen vivir* and aims to achieve well-being for all Ecuadorians; its 12 objectives include equality, human rights and legal justice, public and political participation, and a healthy and sustainable environment.

Various European countries, including a number of EU Member States, have taken the initiative to complement GDP with alternative measures of progress. Limited desk research was carried out on the various indicators that they are using or have discussed in addition to GDP, as well as the European Commission's "quality of life" indicators. Few have put in place a real index (Germany being a notable exception), but many – such as Austria, Belgium, Italy and the UK – have introduced and use indicators to measure "well-being" or "welfare". The Stiglitz-Sen-Fitoussi Commission report seems to have been a trigger in many instances.

A number of questions were used as the basis of the research, in order to carry out an initial evaluation of the different models. These questions included, for example, the degree to which the non-GDP indicators cover all four dimensions of sustainable development, whether they incorporate qualitative measures in addition to quantitative, and whether the results of monitoring such indicators are fed into and influence policy- and decision-making.

It was found that the so-called "beyond GDP" sets of indicators which are currently used in EU Member States are not intended to do anything other than complement GDP; the fundamental

tenets of consumption-based growth as the predominant economic paradigm are therefore not being questioned. While the use of complementary indicators does reflect, to a greater or lesser extent, a malaise with GDP being the key indicator on which major social and economic decisions are based, and a recognition that it says nothing about the “welfare” of people or society, GDP is in no instance questioned as the predominant indicator by which to measure a country’s progress. This is the case even when a wide range of other indicators is measured, or even if the use of alternative measures is a legal requirement, as in the case of Belgium and France.

Generally speaking, all the European models incorporate indicators covering the four dimensions of sustainable development, although the number of indicators in each dimension varies considerably between the countries/EC. It is in the area of the environment that quite a degree of consistency between the models was noticed. Likewise, the majority – including the EC’s “quality of life” indicators – include some qualitative measurements, based for example on subjective well-being or one’s sense of satisfaction or happiness. However, it is noteworthy that there is quite a limited degree of disaggregation of data across the models, with Belgium and the EC being more consistent in this regard.

In many instances, but not all, it is a parliamentary commission, or similar initiative, which is responsible for conducting a study into “alternative measures of progress”. This clearly has limited weight in terms of the influence it can have on decision-making. The research showed that when either a key political figure or a government calls for or supports complementary indicators, or the use of such indicators is in some way associated with a political agenda, they are more likely to be used in policy- and decision-making. Such is the case in the UK, with the Measuring National Well-being Programme initiated by the former Prime Minister David Cameron. However, it will be interesting to monitor whether the use of alternative indicators of progress may depend on the political figure remaining in position, or whether their use has been more generally accepted by the government and remains anchored in the “way of doing business”. The UK will be a case in point since the leadership change.

Some tentative, preliminary conclusions may be drawn from the research, despite the fact that it is too soon to say whether “alternative” or “complementary” indicators to GDP have had a real impact on decision-making or on the nature of progress in a given country. For such an analysis, more in-depth monitoring needs to be carried out over a period of time. However, one can already note that, if an alternative model is to be developed, it would be extremely helpful if the variety of models currently existing across EU Member States were harmonised and coor-

dated. The considerable differences between the indicators used makes comparison difficult. Since the aim is for the EU as a whole to adopt a series of indicators to make up an index which will increasingly complement, and ultimately replace, GDP as the measure of progress or of the “well-being” of a population, it is crucial that Member States come together – with the Commission – to determine a common set of quantitative and qualitative indicators to measure a broad and representative set of factors which underpin the well-being of people and planet. It is also critical for the EU as a whole to agree to embed the findings of such well-being indicators into decision-making processes, including budget-setting in the EU and nationally.

THE EU SHOULD:

- Follow up on EU and Member State commitments and recommendations for the adoption of the 2030 Agenda (Council Conclusions, December 2014) and the commitment to SDG Target 17.19 to look beyond Gross Domestic Product (GDP) to broader measures of progress, including social, human and natural capital, to promote a more comprehensive vision of sustainable livelihoods and well-being.
- Agree and adopt a common set of EU indicators covering social, economic, environmental and governance factors, which focus on the well-being of people and planet, and commit to use them in all relevant policy- and decision-making as a complement to GDP.
- Use and refer regularly to these alternative measures of progress in EU strategies, strategic documents, policies, reviews and statements – for example, the State of the Union address, the Multiannual Financial Framework and annual budget proposals, annual Commission reports and the European Semester process.

ABBREVIATIONS

ASEAN	Association of Southeast Asian Nations
CEAS	Common European Asylum System
CFS	UN Committee on World Food Security
CSO	Civil Society Organisation
EC	European Commission
EEAS	European External Action Service
EEIP	EU External Investment Plan
EFSD	European Fund for Strategic Investments
EIB	European Investment Bank
EP	European Parliament
EU	European Union
FAO	UN Food and Agriculture Organization
FPIC	Free, prior and informed consent
GDP	Gross Domestic Product
G7	Group of 7
HLPF	High-level Political Forum
IA	Impact assessment
MAR	Monitoring, accountability and review
MFF	Multiannual Financial Framework
NGDO	Non-governmental development organisation
NGO	Non-governmental organisation
ODA	Official development aid
OECD	Organisation for Economic Co-operation and Development
PCD	Policy coherence for development
PCDI	Policy Coherence for Development Index
PCSD	Policy coherence for sustainable development
PFCE	La Plate-Forme pour le Commerce Équitable
PGD	Policy for Global Development
RSB	Regulatory Scrutiny Board
SDG	Sustainable Development Goal
SIA	Sustainability Impact Assessment
SRAI	Support to Responsible Agricultural Investments
TEU	Treaty on the European Union
TNC	Transnational corporation
TTIP	Transatlantic Trade and Investment Partnership
UK	United Kingdom
UN	United Nations
UNECE	United Nations Economic Commission for Europe
UNICEF	United Nations Children's Fund
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure

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