

Rule of Law and Justice in the Context of SDG 16

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SDG 16: "Promote peaceful and inclusive societies for [sustainable development](#), provide access to justice for all and build effective, accountable and inclusive institutions at all levels"

Target 16.3 Promote the rule of law at the national and international levels and ensure **equal access to justice for all**

- **Indicator 16.3.1:** Proportion of victims of violence in the previous 12 months who reported their victimization to competent authorities or other officially recognized conflict resolution mechanisms
- **Indicator 16.3.2:** Unsentenced detainees as a proportion of overall prison population

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- International law perspective
- Information Communications Technologies (ICT) perspective:
 - How ICTs are changing how we consider and apply the rule of law

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- Rule of Law: laws apply in the same way to everyone
- ICT environment brings a new twist to RoL

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- Exponential increase in cybercrime and cyber violence
- During pandemic, estimates some cybercrimes up more than 300%

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ICT Rule of Law Challenges:

- Difficulty in identifying criminal/attribution attack
- Dual criminal regime: those who are good at covering tracks online, and those who are not

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ICT Rule of Law Challenges:

- Good computer hackers can get away with crimes
- Less skilled computer hackers more likely to get caught

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ICT Rule of Law Challenges:

- Traditional law enforcement territorial-based
- Cross-border investigations challenging
 - Mutual Legal Assistance (MLA) agreements
 - Extradition
- Can be complicated by good or bad diplomatic relations

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Responses:

- Standards for how apply law online
- Mechanisms for cooperation between law enforcement bodies

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Responses:

- Standards for how apply law online:
 - Budapest Convention
 - Open-Ended Working Group on responsible state behaviour in cyberspace
 - Multistakeholder initiatives

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Responses:

- Mechanisms for cooperation between law enforcement bodies:
 - Budapest Convention, Second Protocol (open for ratification May 2022)
 - Ad Hoc Committee to develop an international cybercrime convention

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Responses:

Many passionate actors, both state and non-state working towards promoting including ICTs in the SDGs

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ICTs can:

- Promote sustainable development
- Make institutions more accessible and effective
- Improving Rule of Law online can help realize those potentials