



# BUSINESS CASE FOR JOINING THE SDG LEGAL INITIATIVE

## INTRODUCTION

Advocates for International Development (A4ID) was founded in 2006 with a clear vision – to see the law and the skills of lawyers used effectively to fight global poverty. Today, A4ID is the leading international, civil society organisation that harnesses legal expertise globally. Through us, legal services professionals offer free legal support to organisations that work to advance human dignity, equality and justice. A4ID currently works with 50,000+ lawyers, supports over 800 NGOs, has delivered over £45 million worth of legal advice and, in the last year, has carried out work impacting 130 countries.

The Sustainable Development Goals ('SDGs', summarised in the Annex) were adopted by all United Nations Member States in 2015 as a universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity by 2030. The SDGs are becoming increasingly familiar to legal services professionals, but there is a risk that their understanding and, in some cases, promotion are not consistent across legal professionals globally. There is, therefore, an opportunity to support, promote, and where appropriate take a lead, in a global programme aimed at ensuring legal professionals around the world understand the SDGs so that they may actively participate in these changes.

And there are many benefits in doing so. Legal professionals have a highly influential role in the social and business environments of their jurisdictions. They play a key function in the administration of justice and, through their advisory roles, encourage the observance not just of direct law, but also the growing body of regulatory guidance and other 'soft law' that exists. Indeed in many jurisdictions, legal professionals also play a role in holding the executive and legislature to account through available legal mechanisms.

The SDG Legal Initiative builds on these skillsets and unique positioning, so that every legal professional in the world is provided with the knowledge and opportunities to take practical action to realise the SDGs. This is achieved by:

- building a greater awareness of the SDGs among the global legal community
- inspiring legal professionals to take action for the SDGs
- supporting multi-stakeholder partnerships between the legal, corporate, development and academic sectors towards the achievement of the SDGs, and
- mobilising law firms and companies to mainstream the SDGs within their businesses and operations at every level.

A Steering Committee, composed of representatives from world leading law firms and companies, provides strategic direction – creating an initiative that is not only built for lawyers, but *by* lawyers. However, the Steering Committee will only achieve its objectives with effective partnerships from across the world. Working with bar associations both nationally and internationally, global law firms and other organisations, we aim to influence and engage with all legal services professionals no matter their job title, rank or where they work.

## **THE BUSINESS CASE**

There is a strong business case for the SDGs; not just for lawyers but for the vast myriad of stakeholders they engage with:

- Governments are likely to find that any legislative action in support of the SDGs will be more swiftly implemented where there is a high level of understanding and collaboration with legal sector professionals.
- Commercial entities are likely to benefit from a more level playing field in environments influenced by the SDGs, and from legal professionals that are equipped with knowledge and expertise on these environments.
- Individuals seeking legal representation are likely to benefit from the advice and support of legal professionals versed in societal values that resonate with growing numbers of the population: equality, ethical practice and sustainability.
- Society as a whole is likely to benefit where legislative, regulatory and social change can be achieved through the effective role legal professionals can perform in this process.

And legal professionals and law firms also stand to benefit.

Set out below, we highlight four key areas relevant to legal professionals in this regard.

### **1. FEE GENERATION**

The implementation of the SDGs will offer a number of opportunities for law firms, in-house legal departments and other legal professionals across industries and sectors. With the growing number of companies looking to align with the SDGs and learn how to best comply with various regulations as a result, legal professionals are in a prime position to lead the way as experts and subsequently increase revenue generation.

#### **The opportunity for establishing and maintaining the relevant expertise is now**

Adherence to the SDGs will, in many cases, lead to advancements or changes in existing products and technology. Legal professionals that want to represent clients involved in these advancements or changes need to have special expertise in a given area of law. Along with developments in products and technology will likely come regulation on how these advancements and changes may be implemented and offered to the market. As a result, there will be a number of related areas for legal professionals to advise on such as licensing requirements, competition issues, and tax concerns. If legal professionals do not have the relevant expertise, they cannot be instructed and will miss out on all the compelling and revenue-generating opportunities in these emerging areas.

Legal practices and in-house legal departments may look to hire legal professionals with specialisations in areas that will impact companies seeking to align with the SDGs. Such specialisations may not have previously been explored within a legal practice, but will certainly help it to gain expertise and a competitive advantage. By hiring new employees with these specialisations, legal practices have a great opportunity to win additional work not previously available to them.

There is also a business case to expand the number of jurisdictions covered by legal practices or to establish partnerships in other jurisdictions. The SDGs will be impacting clients globally and it will therefore be beneficial for legal practices to ensure they have the ability and resources to advise in a variety of jurisdictions.



### **Clients turn to legal professionals with relevant expertise**

If clients are seeking advice on how to align with the SDGs, they will be looking to instruct a legal organisation that already reflects its adherence to those principles. Clients and prospects will want to see legal practices and other organisations they instruct promoting active engagement and conscious alignment with sustainable values.

The sooner legal practices begin to market themselves as aligning with the SDGs, the more opportunities will naturally arise from existing and prospective clients. As organisations take on new clients who are content with the advice and outcome of their matter, these organisations will rapidly gain a reputation in those areas of expertise. Building a great reputation comes from both continued business from existing clients and the addition of new clients. The development of unique specialisations that recognise how sustainable development is shaping the wider landscape (commercially, socially, economically and environmentally) will equip legal practices with new skillsets and expertise to handle legal matters both now and into the future.

### **Clients will be driving the agenda**

Legal practices that are up-to-date on the latest developments and regulations will be able to market their services to advise clients on wider matters relating to how clients can: meet their obligations, best save costs, protect longer-term interests, prevent fines and seek tax benefits. Large corporate clients are already asking for proof of law firms' commitments to the SDGs in their requests for proposals and panel review processes as well as before providing instructions. Legal professionals should be prepared *now* to provide an accurate statement of their organisation's activities and commitment to the SDGs to avoid losing potential clients and revenue streams.

## 2. PROFESSIONAL COMPETENCE

Many legal professionals around the world are expected to maintain their knowledge through Continuing Legal Education (CLE) or Continuing Professional Development (CPD). In most jurisdictions this is compulsory. Legal professionals should expect knowledge of the SDGs to form part of their continuing professional development. Indeed, many professional regulatory bodies already require training in line with the SDGs, and as countries update laws and regulation to reflect sustainable values, the training requirements on legal professionals will inevitably expand. The organisations and legal professionals at the most advanced end of their professional education will benefit from increased client engagement, thought leadership and, therefore, profile and reputation.

For international corporations, the broader developing legal environments in which they operate are of key importance. Clients expect their law firms to provide a 'horizon scanning' function to give the client not just sight of current legal issues but future issues too to support with risk management and mitigation strategies. This now includes many aspects of the SDGs. Indeed international organisations that are influential in the development of international and domestic law are also focussing on the role of the SDGs within their own programmes of work. For example, the UN Commission on International Trade Law (UNCITRAL) is supporting the SDGs and already identifying where its work contributes to them. As clients become more attuned and aware of sustainable practices and of the SDG Agenda, they will naturally expect the legal professionals representing them to share this professional competence and be adept at bringing even greater knowledge and advice to the table.

Even beyond current and future laws, the role of a modern legal professional is to advise their clients about risk. Part of any professional development, therefore, must go beyond the strict boundaries of the law in order to provide clients with the broader landscape in which they operate. Any legal professional familiar with the SDGs and their influence will have an edge in providing clients with advice that is most up-to-date within the international context and wider trends.

### **Events and thought leadership are key**

Finally, once a legal organisation has sufficient expertise in any of the SDG principles, it can organise paid events or conferences that will both aid the growth of its colleagues and peers in the legal field and provide general guidance to clients or potential clients. A legal practice's active education of others will openly display its commitment to the SDGs, demonstrate its professional competence in setting the standard for its peers, and get the firm ahead in the market, positioning itself as a sector leader in all relevant fields.

### 3. RECRUITMENT AND RETENTION

There are several respects in which the adoption and promotion of the SDGs is likely to assist legal practices and in-house legal departments in recruiting and retaining talented professionals.

#### All of the above

Above, we discuss the benefits available from the SDGs in terms of fee generation and professional competence. Legal practices and companies that are more profitable, and that are at the cutting-edge in terms of legal expertise, are organisations that people want to work for. This is particularly the case where this involves developing capabilities and a reputation in new areas of law, and taking a role in thought leadership.

Similarly, legal practices that adhere to the SDGs place themselves in a better position to attract work from more sophisticated and progressive commercial clients. A law firm that can attract these clients is also likely to attract and retain quality recruits.

#### Values

It is no longer enough for legal practices and in-house legal departments to be able to offer competitive rates of compensation and interesting work in order to attract and retain professionals of the highest calibre. There is little doubt that those entering the profession today also look for employers that exhibit values beyond technical excellence and client service.

Many recruits place significant importance on the ability to devote time to developing a pro bono practice and will expect opportunities to contribute to those less fortunate than themselves through corporate social responsibility (CSR) initiatives. This focus is not exclusive to the more junior end of the profession, and it is increasingly the case that lawyers at all levels will want to undertake work of this nature alongside their day-to-day advisory work. The SDGs provide additional opportunities for pro bono engagements and activities that further CSR. A separate but related point is that such work introduces variety that may not otherwise be available to professionals, particularly in the earlier stages of their career. A more varied workload is not only likely to be attractive in its own right, but will help develop additional skill sets and provide opportunities for professionals to gain experience that might not otherwise be available. Ultimately, therefore, this can also be expected to benefit fee-paying clients.

The bottom line is that, if legal practices and companies fail to provide the right opportunities, they risk narrowing the field of potential recruits and may struggle to retain their best people because those opportunities will be readily available at competitor organisations.

A successful legal practice or in-house department that understands and includes the SDGs within its pro bono or CSR programmes and client work sends a clear signal to prospective and existing employees regarding its value system.

#### Market profile

The legal services marketplace is crowded and competitive, and one of the biggest challenges today for legal practices and companies seeking the best legal talent is the need to develop an individual profile and to ensure that this profile is visible across the industry. Although this may appear to be less of an issue for a very large law firm or a global corporation when compared to a ten-partner firm or a small in-house legal team, the need to build and maintain a distinctive market profile is universal. That said, a dedicated and thoughtful approach to the promotion and implementation of the SDGs may be one way in which smaller organisations can seek to develop a market presence beyond their size and to differentiate themselves effectively from some of their larger peers.

#### 4. THE RIGHT THING TO DO

Finally, the SDGs provide a modern framework for all organisations. As noted above, the SDGs are a universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity. It is the right thing to do to support them.

Every person and organisation is entitled to legal representation, even those who stand accused of conduct falling short of criminal or civil legal standards. That does not mean legal practices representing those people and organisations have to remain steadfastly neutral on all issues. Whatever an individual organisation's values, all members of the legal community recognise the entitlement of everyone to legal representation. Indeed SDG 16 "*Peace, Justice & Strong Institutions*" promotes access to justice for all – with all being the key word.

By creating a large network of legal services professionals around the world, along with many supporting organisations, including law firm clients, The SDG Legal Initiative is a prime example of SDG 17 on "*Partnerships for the Goals*" to "*strengthen the means of implementation and revitalize the global partnership for sustainable development*". The Initiative therefore creates the space where we can all work collaboratively and strategically to establish how the law (both national and international), how legal practices, and how legal sector professionals can work towards an agenda that quite frankly, is the right thing to do.

**APPENDIX: WANT TO KNOW MORE ABOUT THE SDGs?**



The UN Sustainable Development Goals (SDGs) are a universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity. Also known as the ‘Agenda 2030’, the SDGs, set in 2015 by the UN General Assembly and adopted by all UN Member States, are intended to be achieved by the year 2030.

Compared to the Millennium Development Goals (MDGs), to which they succeed, the SDGs cover more ground, with ambitions to address inequalities, climate change, economic growth, decent jobs, cities, industrialization, oceans, ecosystems, energy, sustainable consumption and production, peace and justice. The SDGs are also *universal*, applying to all countries and thus departing from the stance taken by the earlier MDGs which were intended for action in developing countries only.

The 17 interdependent goals are broken down into 169 targets. At the global level, this agenda is monitored and reviewed using a set of 232 indicators and is therefore not solely about setting global ambitions or objectives, but actively measuring progress. The Addis Ababa Action Agenda provides concrete policies and actions to support the implementation of the 2030 Agenda. Every year, the UN Secretary General publishes a report documenting progress towards these targets, with annual meetings of the High-level Political Forum on sustainable development playing a central role in reviewing progress towards the SDGs at the global level.

At the national level, even though the SDGs are not legally binding, governments are expected to implement country-led sustainable development strategies, including resource mobilisation and financing strategies, and to develop their own national indicators to assist in monitoring progress made on the goals and targets year on year.

Critically, SDG 17 stresses the importance of multi-stakeholder partnerships to achieve the goals – highlighting the importance of all sectors for achieving the goals, including through the joint mobilisation of governments, local authorities, civil society, and the private sector. Today, progress is being made in many places, but, overall, action



to meet the SDGs is not yet advancing at the speed or scale required. The COVID-19 pandemic has further hindered progress and had devastating impacts on several goals and targets.

The next few years are integral, initiating a period of rapid and ambitious action to deliver the SDGs by 2030.

### Useful links

- [UN General Assembly Resolution A/Res/70/1 Transforming our world: the 2030 Agenda for Sustainable Development](#)
- [Global indicator framework for the SDGs](#) containing the 169 targets and 232 indicators
- [Addis Ababa Action Agenda](#) on Financing for Development
- [The Sustainable Development Goals Report 2020](#)
- The [SDG Tracker](#) presents data across all available indicators
- A4ID's [Legal Guide to the SDGs](#)