



**LEGAL SOLUTIONS FOR SUSTAINABLE
FUTURES IN SOUTH ASIA: HOW PRO
BONO CONTRIBUTES TO SDG
PROGRESS**



ABOUT ADVOCATES FOR INTERNATIONAL DEVELOPMENT

Advocates for International Development (A4ID), founded in 2006, is a global charity that believes the law can and should be used more effectively to advance fair and sustainable development. A4ID aims to inspire and enable lawyers to join the global fight to eradicate poverty by advancing the United Nation's Sustainable Development Goals (SDGs). Through A4ID, the world's top lawyers provide free legal support to organisations, working to advance human dignity, equality, and justice. Its work has so far impacted over 130 countries.

A4ID's Rule of Law Expertise (ROLE UK) Programme is funded by the Foreign, Commonwealth and Development Office. It supports partnerships to provide pro bono legal and judicial expertise with the aim to strengthen the rule of law in official development assistance (ODA)-eligible countries. The Programme also provides the pro bono legal sector with access to targeted and relevant information to inform and improve their technical assistance in development contexts.

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EXECUTIVE SUMMARY



The last few years have witnessed unprecedented challenges. The unanticipated COVID-19 pandemic, a rise in geopolitical tensions, the mass displacement of millions of people, a widespread cost-of-living crisis, and the continuing effects of climate change have all brought into sharp focus the global nature of issues that underpin the SDG agenda. Amidst these challenges however, regional variations and successes are being seen across the spectrum of sustainable development, intersecting and impacting progress within national boundaries and across the global ecosystem.

For South Asian nations¹ there remains great scope for future growth and development, and ample opportunity to Build Back Better towards the improvement of social, economic, and environmental conditions. However, to date, many SDG targets are still falling by the wayside.²

In recognition of these challenges, the primary objective of this report is to highlight some of the creative ways in which pro bono solutions are being applied within South Asian nations to advance SDG progress. In doing so, the report highlights the stories of individual law firms and legal sector organisations working on the ground to mobilise action for impact, serving as an inspiration for the wider legal community.

Acting in contrast to the global dashboards and international trackers that have taken centre stage

in this year's discussions, the findings of this report are less concerned, then, with quantifying or asserting the overall level of progress made

“It is important to recognise that the lack of progress on most of the targets in the [Asia-Pacific] region overall, masks many national achievements”

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in South Asia. Instead, they seek to identify opportunities amongst the region's shifting landscape for private sector engagement, including ways in which law firms and their clients can get involved. In celebration of the many instances in which this is already taking place, case studies on A4ID in-country partners provide a useful starting point to understand how greater pro bono and legal services contributions are being made in line with the SDG Agenda. A brief summary of the report's key findings is provided below:

FROM AN INTERNATIONAL PERSPECTIVE, SDG PROGRESS IN THE SOUTH ASIA REGION WILL NECESSITATE CROSS-BORDER PARTNERSHIPS AND PRIVATE SECTOR INVOLVEMENT OVER THE COMING YEARS. THIS IS BECAUSE:

- **Socio-political trends amongst South Asian nations will likely highlight the importance of multilateralism for achieving greater progress against all 17 SDGs.** At a time when geopolitical fragmentation is rife, solidarity among nations offers countries a chance to bolster internal capacities for advancing the SDG Agenda. As each country across the South Asia region possesses their own unique expertise on different SDGs, collective action in the form of knowledge, expertise, and resource exchange will help advance sustainable development as a collective endeavour. Lawyers acting as local, regional and international intermediaries can, in turn, help to support these activities.
- **Tumultuous economic recovery for South Asian nations following COVID-19, has led to limited fiscal capacity to further the SDG Agenda, with new opportunities for**

the private sector likely to emerge. As South Asian nations grapple with competing demands for recovery, with heavy debt burdens and high public expenditure following the COVID-19 pandemic, the private sector offers a promising avenue to help Build Back Better. A general decline in private investment growth compared to the pre-pandemic period leaves ample room for countries to incentivise private sector sustainable investment. Lawyers possessing expertise on the SDG framework will therefore have a competitive edge for clients wishing to capitalise on these opportunities.

- **Predictions on climate change and environmental hazards offer a chance for private sector stakeholders to proactively contribute to solutions for building resilience within South Asian countries.** The aftermath of environmental and climate disasters have seen spillover effects from both an economic and social standpoint, including repercussions to citizen welfare, food security, price stability, and industry. However, the existence of well documented environmental risk estimations offer a chance to innovate new solutions and adaptations to climate resilience. Given the tensions between social and environmental rights, lawyers are well positioned to advise on how best to build this resilience, drawing on their unique skill sets in diplomacy when balancing competing interests.

FROM A GRASSROOTS PERSPECTIVE, CASE STUDIES FROM A4ID IN-COUNTRY PARTNERS ACROSS BANGLADESH, NEPAL AND INDIA HIGHLIGHT THE MYRIAD WAYS THAT LAW FIRMS, LEGAL ACTIVISTS, AND LAW SCHOOLS CAN ACTIVELY CONTRIBUTE TO THE SDG AGENDA. AS SUCH:

- **Law firms, like The Legal Circle, demonstrate how they are contributing to SDG 5 (Gender Equality) by offering creative pro bono solutions, alongside financial products and services for female entrepreneurs in Bangladesh (see Chapter 3).** Here, Bangladesh's rapid industrialisation has created new opportunities for elevating the rights and economic standing of women, and helped make strides towards greater gender parity. However, cultural and structural barriers continue to limit the financial independence and economic prospects of many Bangladeshi women. Despite the significant contributions made by women to Bangladesh's rapid economic growth, particularly in the Ready-Made Garment sector, there are still barriers to upward mobility when seeking financial independence. These include: limited access

to capital, comparatively fewer asset-holdings, financial illiteracy, and cultural expectations aligned with traditional gender roles. Legal services therefore offer one promising avenue to help overcome these challenges.

- **Youth activists in Nepal, including Youth Empowerment in Climate Action Platform, demonstrate how they are working with lawyers on SDG 13 (Climate Action) to improve environmental accountability (see Chapter 4).** Here, the use of legal best practice is holding public infrastructure projects accountable to environmental impact assessments, while strategic litigation is being used to combat exploitation of the country's land and environmental resources. These contributions arise against Nepal's unique vulnerabilities to climate-related disasters. However, the country's natural assets also offer sizable economic opportunities in sectors such as hydropower, which could pave the way to clean energy transitions both nationally and regionally. As the country's national development plans and climate resilience measures offer an opportunity for greater environmental protections, climate activists argue that large scale investment projects and unregulated trade require greater oversight and accountability to protect the rights of the environment and local communities. A need for more environmental lawyers to represent these interests is therefore required.

■ **'Academic legal institutions, such as Project 39A, demonstrate how they are working to advance SDG 16 (Peace, Justice and Strong Institutions) by using a multidisciplinary approach to advocate for the reform of India's death penalty laws, whilst simultaneously providing legal representation for prisoners on death row (see Chapter 5).** Here, India's position as a regional and international leader, owing to its large population, democratic status and sizable GDP, places the country in a pivotal

position to enhance peace, justice, and strong institutions (SDG 16). However, access to justice within the country is being undermined by structural deficiencies in the criminal justice system, including an increasingly punitive penal code, contradictory laws and practices, and exclusionary policies. For prisoners facing the death penalty, excessive punishment, undue process and arbitrary sentencing have compromised the proper administration of justice, necessitating legal expertise and advocacy to overhaul death penalty practices.

EXECUTIVE SUMMARY: END NOTES

¹ Note: for the purposes of this report, 'South Asian nations' are considered to be the founding members of the South Asia Association for Regional Cooperation (SAARC), and therefore include: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.

² UNESCAP, *Asia and the Pacific SDG Progress Report 2023*, (March 2023), p.5. Available at: <https://www.unescap.org/kp/2023/asia-and-pacific-sdg-progress-report-2023>

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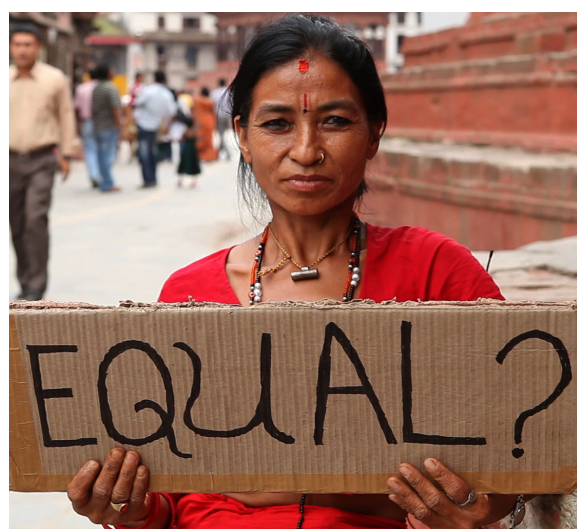


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