



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



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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.

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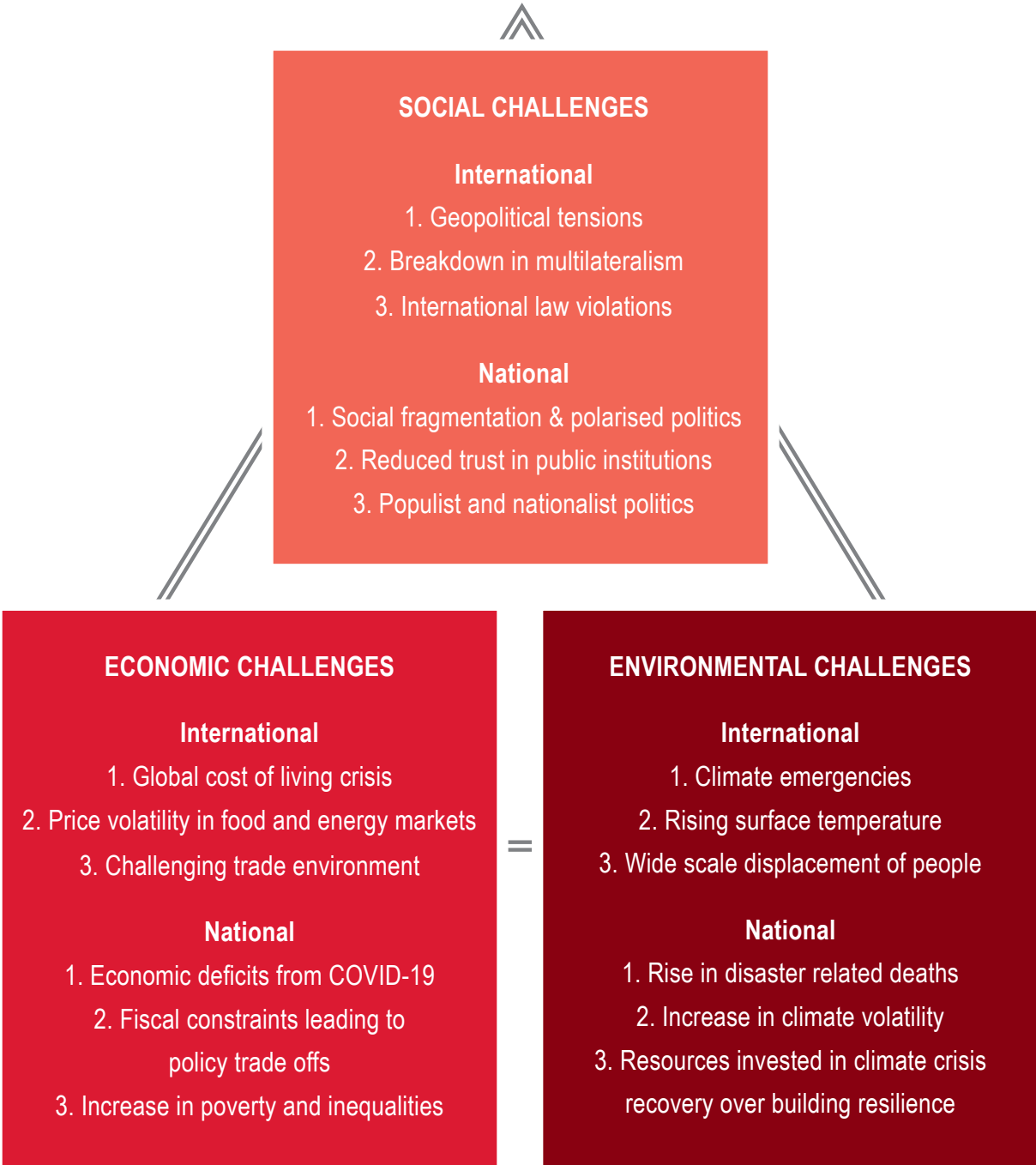


# REGIONAL SNAPSHOT





South Asian countries are collectively home to approximately 2 billion people.<sup>1</sup> As one of the fastest growing regions, both in terms of economy and population,<sup>2</sup> South Asia offers tremendous scope for change. However, positive transformation may be difficult to achieve as today’s international landscape faces challenges from all corners of the sustainability triangle: *the social, economic, and environmental*.



**Fig 1: Sustainability Triangle**

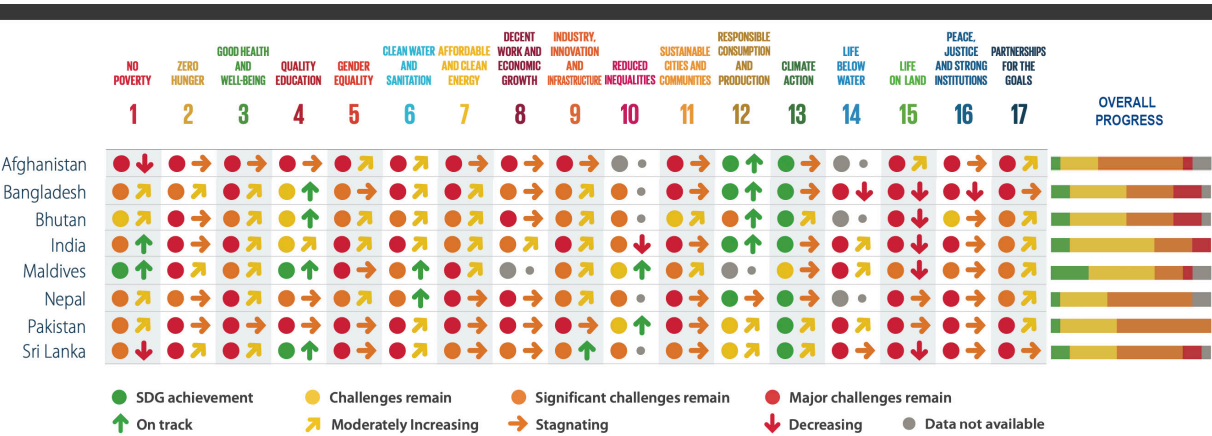
Specific to the South Asia region, macro-trends witnessed from a socio-political, economic, and environmental perspective, highlight the key takeaways relevant to the region's legal sector. Of note are the reasons why regional cooperation, strategic partnerships, and cross-border projects will be necessary for the remaining seven years of the SDG timeframe, why the private sector plays a key role in aligning with the SDG framework, and how the role of law and lawyers fits within this.

## THE SOCIO-POLITICAL PERSPECTIVE: A CASE FOR COLLABORATION AND COHESION

South Asian countries demonstrated their commitments to international development goals long before the SDG Agenda, with great

strides accomplished in response to the SDG's predecessor: the Millennium Development Goals (MDGs).<sup>3</sup> Here significant progress was made on issues relating to poverty, malnourishment, and access to education amongst many other targets. However, regional variations existed even then, attributable to factors including: population size, level of NGO engagement, institutional capacities and public spending priorities.<sup>4</sup> It is no surprise then, that progress against the 17 SDGs in the South Asia region has similarly seen regional disparities both within and amongst nations.

For example, as demonstrated in Figure 2, progress towards SDG 1 (No Poverty) and SDG 4 (Quality Education) paints a mixed picture, with some countries on track to achieve their targets, whilst others are stagnating or even declining in



Adapted from the United Nations Sustainable Development Report 2023

Fig 2. 2023 SDG Progress Dashboard of South Asian Countries

terms of progress made. Similarly, from findings on overall progress made, the percentage of SDGs already achieved as compared to those where significant or major challenges remain, varies notably from country to country.

Whilst these variations may seem problematic, UNESCAP attests to their importance in reiterating the SDG Agenda as a *“collective endeavour that relies on the progress of every country.”*<sup>5</sup>

Inherent within this is the acknowledgement that each country will have their own specialisations on the SDG Agenda and may have to prioritise certain SDGs over others in the current timeframe and against various crisis recovery efforts. Consequently, if South Asian nations work collaboratively through regional cooperation to progress the SDG targets, there arises huge potential to make improvements across the board.

For instance, it is interesting that the two goals in Figure 2 to have witnessed strong progress amongst almost all South Asian nations are SDG 12 (Responsible Consumption and Production) and SDG 13 (Climate Action); both of which typically require cross-border cooperation given the interconnected, international nature of today's commodity, trade and infrastructure routes.

Indeed, the value of cross-border cooperation lies at the heart of the SDG Agenda, setting it apart from the earlier MDGs, and forming the basis upon

which the SDGs were conceived. As embodied by SDG 17 (Partnership for Goals), it is neither the responsibility of developed or developing regions alone to build a sustainable future, nor is the 'developed-developing' divide a useful framework for securing a world where 'no one is left behind.'

On the contrary, when looking at the regional pace leaders identified by UNESCAP in their latest 2023 SDG report (see Figure 3), a healthy array

**“Peace and global cooperation must not become mere slogans... Peace and global cooperation mean nothing less and nothing more than choosing the end of human poverty over the end of human life”**

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of South Asian countries are included in the fold. Here it is promising to see that 7 out of the 17 SDGs are already being progressed at speed by South Asian nations. If regional collective action and strategic partnerships were thus developed to promote knowledge-transfer, dialogue-building, and expertise exchange, further progress could be made, at pace, over the next 7 years across South Asia before the 2030 deadline.

To enable progress towards the SDGs, calls for multilateralism, triangular cooperation, and strengthened social cohesion are voiced by the UN itself.<sup>6</sup>

These calls are made at a time when geopolitical fragmentation, a weaponisation of global trade and economy, and an increase in 'self-sufficient' defensive policies continue to erode trust amongst nations.<sup>7</sup> In turn, the international order is also being put to the test, as are international laws and treaties that have been integral to maintaining global peace and alliance. To overcome these challenges, and see continued progress towards the SDG Agenda, it is therefore likely that South Asian states will need to continue to work collaboratively and cohesively towards the global goals, maximising on their respective expertise and contributing towards regional success.



Adapted from the UNESCAP Asia and the Pacific SDG Progress Report 2023

Fig 3. South Asian SDG Pace Leaders (2015-2023)

## THE ECONOMIC PERSPECTIVE: A CASE FOR THE PRIVATE SECTOR

Economically speaking, South Asia is expected to grow faster than any other developing country region in the coming years and is considered a “bright spot in the global economy” according to the World Bank Group’s predictions.<sup>8</sup> However, the region is also home to considerable disparities as some countries see greater potential for sustainable growth whilst others are still grappling with internal crises following COVID-19. Of note, is the role of the energy-food-finance nexus, in which limited fiscal capacity, coupled with the impacts of the Ukraine War and increasing climate disasters, have weakened national resilience to unexpected shocks, undermined access to basic resources and forced policymakers across South Asia to make increasingly difficult trade-offs between long- and short-term interests.<sup>9</sup>

For South Asian countries, these consequences have led to economic variations across the region, creating a mixed landscape for sustainable investment. At one end of the scale lies those countries enjoying economic stability and growth including: India, expected to emerge as the world’s third largest economy by 2027<sup>10</sup>; the Maldives, having witnessed positive economic growth accelerating beyond projected figures,<sup>11</sup>

and Bangladesh, expected to graduate from ‘LDC status’ in 2026 following an accelerated growth cycle.<sup>12</sup> Meanwhile, countries such as Nepal, Pakistan, and Bhutan remain in mitigation mode, albeit with expectations for growth in due course.<sup>13</sup> In contrast however, are the circumstances of Sri Lanka, where unsustainable debt and high public financing has led to an economic downturn<sup>14</sup>, and Afghanistan, where harmful gender policies under Taliban rule have compromised socio-economic development leading to economic collapse.<sup>15</sup>

Following the aftermath of the COVID-19 pandemic, and in wake of the polycrisis recognised by both the UN<sup>16</sup> and the World Economic Forum,<sup>17</sup> tumultuous economic recovery and heavy debt burdens are further felt by many countries around the world. As a result, progress towards the SDG Agenda now requires greater stimulus for long-term financing.

For South Asian countries, part of this puzzle lies with the integral role of the private sector. As almost all eight countries see a decline in private investment growth compared to the pre-pandemic period, incentives for the private sector to contribute to sustainable investment are encouraged.<sup>18</sup> Indeed, recommendations on behalf of the UN go a step further, calling on: “*regulatory innovations that align private sector governance models with sustainable development objectives [that] could spark*



*significant change.*"<sup>19</sup> It is therefore clear that as South Asian countries face varying levels of state capacity for sustainable investment, constrained in terms of both fiscal capacity and competing demands for crisis recovery, the role of the private sector to contribute towards the 17 SDGs has become more urgent and essential.

## **THE ENVIRONMENTAL PERSPECTIVE: A CASE FOR MITIGATION**

Finally then, from an environmental perspective, climate action continues to be of such global concern, that it has almost become synonymous with the term 'sustainability' itself. In 2023, the Intergovernmental Panel on Climate Change unequivocally pointed to human activities as a principal cause of global warming, noting that "human-caused climate change is already affecting many weather and climate extremes in every region across the globe."<sup>20</sup>

For South Asian nations this is particularly worrying, given their high exposure to both the long- and short-term effects of climate change. As noted by the World Bank, not only do a significant proportion of the South Asian population reside in dense river valleys, but according to the Global Climate Risk index, three South Asian countries rank in the top ten, namely: Bangladesh (7th), Pakistan (8th), and Nepal (10th).<sup>21</sup>

Notwithstanding the UN's recent findings (see Figure 2) that almost all South Asian nations have achieved SDG 13 (Climate Action), these risks are thought to be a large part of the reasons why UNESCAP is still calling for greater progress on this goal. As the only SDG to have seen significant regression across the Asia-Pacific,<sup>22</sup> the spill-over effects of natural disasters make SDG 13 a particular and pressing concern. Indeed, by holding a dual role, as both a causal factor of climate change, but also a primary victim to its disasters, South Asian nations need to maintain environmental protection and climate action as ongoing SDG priorities. In this regard, the severe lack of progress on SDG 14 (life below water) and SDG 15 (life on land) across the region (see Figure 2), will also require further efforts to mitigate damage to the ecosystem and biodiversity loss.

Disruptions caused by natural disasters move beyond the environment, affecting food production, agriculture, economic resilience, price stability and individual livelihoods across South Asia. In the wake of major environmental disasters, the impacts on persons and their basic human rights, particularly where displacement is concerned, require legal and administrative support from national actors. However, the climate crisis also offers an opportunity for private sector stakeholders to contribute proactively. Armed with scientific projections to better

understand where environmental vulnerabilities lie, there is now greater scope and rising market need for private sector solutions to help build national resilience for climate change.

## THE ROLE OF LAW AND LAWYERS

With the above perspectives in mind, there are multiple ways in which the role of law and lawyers will be critical to the next seven years of achieving SDG success across South Asia.

For regional and international law firms, there arises a strategic advantage for facilitating cross-border initiatives and exchange, where existing networks, expertise and infrastructure can be usefully mobilised towards achieving greater SDG progress. This also applies for individual lawyers with experience handling international or cross-jurisdictional clients and cases. However, even for local and national law firms, cross-border cooperation will likely see new opportunities emerge for SDG alignment, as collaborative projects still require insights into the SDG needs and impacts for specific municipalities and smaller communities to effectively operate at all levels. As all legal institutions are united under integral concepts such as rule of law, it is also the legal community as a whole, who can set the standard in advocating for multilateral cooperation, promoting

social cohesion and ultimately pushing for peaceful partnerships towards a just future.

Even from a purely national perspective, opportunities arise. As private sector contributions become more vital for achieving SDG success, new opportunities to advance the SDG agenda will likely emerge for businesses of all sizes over the coming years. Here, law firms once again, have a chance to contribute directly. For example, when providing legal expertise to corporate clients, law firms that are cognisant of the SDG framework and any emerging laws or regulations aligning private sector objectives with the SDGs, will be better placed to advise on investment matters. Similarly, law firms themselves may find new opportunities to integrate and align with the SDG agenda both in creating a competitive edge, and in pursuing more sustainable business practices. In this way, it is not only through pro bono contributions, but in the way that law firms conduct and measure their business impact, that they can more fully contribute towards SDG progress.

For those operating in the public sector, the use of strategic litigation, and contributions through legal research, can also help to shape new laws and regulations to mitigate future risks. Notably, given the increasingly complex role of public policy in navigating the polycrisis that the world is now facing, with trade-offs likely to emerge between



economic, social, and environmental rights, lawyers can draw on their unique skill sets in diplomacy to contribute solutions and expertise on how these competing interests might be balanced.

To provide more concrete examples of legal

sector involvement to SDG progress in the South Asia region, the following case studies highlight some of the ways that law firms, legal activists, and legal academic institutions are already contributing, providing country-specific recommendations for others to follow suit.

## REGIONAL SNAPSHOT: END NOTES

<sup>1</sup> UNDESA, *World Population Prospects 2022*, (2022). Available at: [https://www.un.org/development/desa/pd/sites/www.un.org.development.desa.pd/files/wpp2022\\_summary\\_of\\_results.pdf](https://www.un.org/development/desa/pd/sites/www.un.org.development.desa.pd/files/wpp2022_summary_of_results.pdf)

<sup>2</sup> The World Bank Group, “*South Asia Development Update: Toward Faster, Cleaner Growth*” (October 2023), p.xv. Available at: <https://openknowledge.worldbank.org/server/api/core/bitstreams/9ffd589a-dfb0-4942-b94a-b89c41fb93b6/content>

<sup>3</sup> Asadullah, N, Savoia, A, & Sunal, K. (2020) Will South Asia Achieve the Sustainable Development Goals by 2030? Learning from the MDGs Experience, *Social Indicators Research* 152, pp 165-189. Available at: <https://link.springer.com/article/10.1007/s11205-020-02423-7#citeas>

<sup>4</sup> Asadullah, N, Savoia, A, & Sunal, K. (2020) Will South Asia Achieve the Sustainable Development Goals by 2030? Learning from the MDGs Experience, *Social Indicators Research* 152, pp 165-189. Available at: <https://link.springer.com/article/10.1007/s11205-020-02423-7#citeas>

<sup>5</sup> UNESCAP, *Asia and the Pacific SDG Progress Report 2023*, (March 2023), Interactive Online Report, see: ‘Regional Pace Leaders’. Available at: [https://data.unescap.org/data-analysis/sdg-progress-report-2023?\\_gl=1\\*2i8jgk\\*ga\\*MjExNjg4OTEwOC4xNjk3MTAyNTQx\\*\\_ga\\_SB1ZX36Y86\\*MTY5NzQ3MDc0OS40LjAuMTY5NzQ3MDc0OS42MC4wLjA.#regional-progress](https://data.unescap.org/data-analysis/sdg-progress-report-2023?_gl=1*2i8jgk*ga*MjExNjg4OTEwOC4xNjk3MTAyNTQx*_ga_SB1ZX36Y86*MTY5NzQ3MDc0OS40LjAuMTY5NzQ3MDc0OS42MC4wLjA.#regional-progress)

<sup>6</sup> See: UN, *Sustainable Development Goals Report: Special Edition*, (2023), p.6 . Available at: <https://unstats.un.org/sdgs/report/2023/The-Sustainable-Development-Goals-Report-2023.pdf>

<sup>7</sup> World Economic Forum, *The Global Risks Report: 18th Edition*, (2023), pp. 19-21. Available at: [https://www3.weforum.org/docs/WEF\\_Global\\_Risks\\_Report\\_2023.pdf](https://www3.weforum.org/docs/WEF_Global_Risks_Report_2023.pdf)

<sup>8</sup> The World Bank Group, “*South Asia Development Update: Toward Faster, Cleaner Growth*” (October 2023), p.xv. Available at: <https://openknowledge.worldbank.org/server/api/core/bitstreams/9ffd589a-dfb0-4942-b94a-b89c41fb93b6/content>

<sup>9</sup> Asia-Pacific SDG Partnership, *Delivering on the Sustainable Development Goals through Solutions at the Energy, Food and Finance Nexus*, (2023). Available at: <https://www.undp.org/iran/publications/delivering-sustainable-development-goals-through-solutions-energy-food-and-finance-nexus>

<sup>10</sup> Deloitte, *India Economic Outlook*, (October 2023). Available at: [https://www2.deloitte.com/us/en/insights/economy/asia-pacific/india-economic-outlook.html#:~:text=The%20Indian%20economy,%20according%20to.crosses%20US\\$5%20trillion%20dollars.](https://www2.deloitte.com/us/en/insights/economy/asia-pacific/india-economic-outlook.html#:~:text=The%20Indian%20economy,%20according%20to.crosses%20US$5%20trillion%20dollars.)

<sup>11</sup> UN Development Programme, *SDG Push Insight Reports: Maldives*, (2023). Available at: <https://sdgpush-insights.undp.org/reports/mdv>

<sup>12</sup> UN Development Programme, *SDG Push Insight Reports: Bangladesh*, (2023). Available at: <https://sdgpush-insights.undp.org/reports/bgd>

<sup>13</sup> UN Development Programme, *SDG Push Insight Reports*, (2023). Available at: <https://sdgpush.undp.org/>  
See: Nepal, Pakistan and Bhutan reports.

<sup>14</sup> UN Development Programme, *SDG Push Insight Reports: Sri Lanka*, (2023). Available at: <https://sdgpush-insights.undp.org/reports/lka>. See also: World Bank, *Sri Lanka Development Update: Mobilising Tax Revenue for a Brighter Future*, (October 2023). Available at: <https://openknowledge.worldbank.org/server/api/core/bitstreams/e8702694-0c68-4a7b-8cd2-006a821463d0/content>

<sup>15</sup> UN Development Programme, *Afghanistan Socio-Economic Outlook 2023*, (2023). Available at: <https://www.undp.org/afghanistan/publications/afghanistan-socio-economic-outlook-2023>. See also: The World Bank, *Afghanistan Development Update: Uncertainty After Fleeting Stability*, (October 2023). Available at: <https://thedocs.worldbank.org/en/doc/210d5f24dc33a3460beff3447fceadcf-0310012023/original/Afghanistan-Development-Update-20231003-final.pdf>

<sup>16</sup> UN, *Sustainable Development Goals Report: Special Edition*, (2023). Available at: <https://unstats.un.org/sdgs/report/2023/The-Sustainable-Development-Goals-Report-2023.pdf>

<sup>17</sup> World Economic Forum, *The Global Risks Report: 18th Edition*, (2023). Available at: [https://www3.weforum.org/docs/WEF\\_Global\\_Risks\\_Report\\_2023.pdf](https://www3.weforum.org/docs/WEF_Global_Risks_Report_2023.pdf)

<sup>18</sup> World Bank Group, *South Asia Development Update: Towards Faster, Cleaner Growth*, (October 2023). Available at: <https://openknowledge.worldbank.org/server/api/core/bitstreams/9ffd589a-dfb0-4942-b94a-b89c41fb93b6/content>

<sup>19</sup> UN, *Sustainable Development Goals Report: Special Edition*, (2023), p.3, Li Junhua (Under-Secretary-General for Economic and Social Affairs). Available at: <https://unstats.un.org/sdgs/report/2023/The-Sustainable-Development-Goals-Report-2023.pdf>

<sup>20</sup> Intergovernmental Panel on Climate Change, Sixth Assessment Report, *AR6 Synthesis Report: Climate Change 2023*, (March 2023), Summary for Policymakers, p.5. Available at: [https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC\\_AR6\\_SYR\\_SPM.pdf](https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC_AR6_SYR_SPM.pdf)

<sup>21</sup> World Bank Group, *South Asia Development Update: Towards Faster, Cleaner Growth*, (October 2023), p15. Available at: <https://openknowledge.worldbank.org/server/api/core/bitstreams/9ffd589a-dfb0-4942-b94a-b89c41fb93b6/content>

<sup>22</sup> UNESCAP, *Asia and the Pacific SDG Progress Report: Championing Sustainability Despite Adversities* (March 2023). Available at: <https://repository.unescap.org/bitstream/handle/20.500.12870/5279/ESCAP-2023-FS-SDG-Progress-Report.pdf>

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