

Parliamentary Oversight of Sustainable Development Goals and the Application of Post-Legislative Scrutiny Principles

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Abstract

The United Nations 2030 Agenda is a global framework for sustainable development. While the Executive in each country has a mandate to implement the respective measures, parliaments are entrusted with passing the related legislation as well as overseeing its implementation. This paper sheds light on the engagement of parliaments to control implementation of the Sustainable Development Goals (SDGs). For this purpose, institutional and non-institutional measures from a wide range of parliaments were evaluated and a general assessment framework has been developed, leading to the determination of a set of basic types of dedicated parliamentary bodies that handle SDG related issues and the nature of their cooperation with extra-parliamentary stakeholders. In this context, the Post-Legislative Scrutiny concept, which assesses both legal and impact dimensions of law implementation, has been studied, in order to prove whether it constitutes a viable long-term contribution to accelerate the achievement of the SDGs. Based on examples of good practice, the paper presents tangible recommendations and urges parliaments to upscale action related to the achievement of the SDGs, as an additional means to strengthen their own position in the institutional system.

Keywords: parliamentary oversight, parliamentary committees, parliamentary procedures, sustainable development, SDGs, post-legislative scrutiny.

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1. Introduction

Adopted in 2015, the United Nations (UN) 2030 Agenda is a global framework for sustainable development, setting 17 Sustainable Development Goals (SDGs) and 169 sub-objectives related to the most significant economic, social, environmental and governance issues that mankind is facing. Sustainable development could be defined as ‘the development that meets the needs of the present without compromising the ability of future generations to meet their own needs’.¹ It is a rather dynamic concept, evolving through time and based on three pillars; environment, the economy, and society.² The 17 Sustainable Development Goals integrate all the pillars of sustainable development, comprising an urgent call for action by all countries.³ The SDGs continue the legacy of the Millennium Development Goals (MDGs), with some innovations. For instance, the number of SDGs is increased comparing with the original 8 MDGs. Additionally, the SDGs involve every country worldwide, both developing and developed, in contrast to the MDGs that referred to developing countries.⁴

Compared to the MDGs, there is a new goal, Goal 16, which focuses on effective, transparent, accountable and participatory governance. In order for this to be achieved, access to justice and effective, accountable and inclusive institutions are necessary.⁵ Clearly, there is a unique interaction between parliaments and the SDG 16. By holding public hearings, requesting clarifications directly from government and reports from plenary sessions, parliaments can turn public attention to the SDGs, encouraging accountability at all levels. Parliaments are themselves a vital part of the governance system of a country and require a ‘peaceful, just and inclusive’ system for the successful representation of people in the political decision-making process.⁶

While the mandate for implementing the above goals and objectives is vested in the Executive of each UN member state, the parliaments are entrusted with the equally important role of debating and passing the related legislative measures, as well as supervising their implementation. Earlier studies already attempted to systematize parliamentary conduct in relation to SDGs, as well as to collect information on parliamentary involvement.⁷ The present contribution sheds additional light on the engagement of parliaments to control implementation of SDGs. For this, institutional and non-institutional measures from several parliaments of the world were evaluated with the aim to map parliamentary involvement and to develop a general framework. Furthermore, the extent of involvement in relation to budgetary issues for SDG implementation has also

¹ See Brundtland et al. (1987), par. 27.

² See Robert et al. (2005), p. 12.

³ See, e.g., SDGs Knowledge Platform in UN (2019a).

⁴ See ALDA (2016), pp. 3-4.

⁵ More information is provided by the TAP Network (2016), p.1, Datta et al. (2016), p. 8604, conclude that effective, accountable and inclusive institutions including Parliaments are highly important for the implementation of all other 16 SDGs.

⁶ See, e.g., SDG 16 Hub (2019).

⁷ See Deveaux and Rodrigues (2018).

been screened. The paper represents a two-year long global study on the efficiency and effectiveness of parliamentary monitoring of the SDG's.⁸ It constitutes the first general evaluation of the study, it discusses its main findings and provides food-for-thought for further action by the international community and the world's parliaments.⁹ Further contributions to follow will deal with more regional aspects of parliamentary involvement.

Post-Legislative Scrutiny (PLS) constitutes a recent development in parliamentary procedures and practices aiming at strengthening the parliamentary oversight on the implementation of legislation, as part of the oversight function of parliament. PLS can be considered a broad concept along two main lines: the legal dimension assessing the enactment of the law and the impact dimension assessing to what extent the policy objectives of the law have been met. In this context, we shall examine the possibility of applying the 15 PLS principles, as published by the Westminster Foundation for Democracy (WFD), in order to follow-up on the *implementation* of SDGs and assess whether PLS is a viable long-term contribution in accelerating their achievement.

The research question of this paper is therefore: what constitutes the engagement of parliaments to control the implementation of SDGs and which institutional and non-institutional measures have selected parliaments around the world taken in order to ensure their involvement? Based on our review of selected existing good practice, the paper offers a series of recommendations and urges parliaments to upscale their action to support the success of SDGs, as an additional means to strengthen their own position in the institutional system. The principal goal of the study is to reveal the role of parliaments in SDG monitoring and their contribution to the successful implementation, based on a quantitative set of data made available through the mentioned global study on SDGs and parliament. This comprehensive review of the parliamentary involvement includes common approaches, good practice and challenges that parliaments deal with through the process of achieving a sustainable global framework. The paper highlights the contribution of Post-Legislative Scrutiny as an *oversight tool* on the implementation of legislation relevant to the implementation of the SDGs. A second research question is thus: can PLS play a significant role in assisting parliaments to achieve their oversight role?

2. Policy and implementation

In 2015, during the 70th Summit of the General Assembly of the United Nations, the member states convened a special summit in order to determine the developmental program after the previous program adopted by the UN General Assembly in 2000, which

⁸ The study, as well as some of its basic findings, were first announced at the Academic Conference on Post-Legislative Scrutiny in Asia, on June 17-18, 2019, which took place in Yangon, Myanmar; see Fitsilis and De Vrieze (2019).

⁹ See Fitsilis and Zisioglou (2019); the two-dimensional matrix contains data on countries, intra-and extra-parliamentary conduct, control of the SDG budget and general comments; the data set has been published in early 2019 and includes data entries also for the states that have chosen to submit a VNR in 2019 and 2020; consequently, no special data on parliamentary involvement are available for these countries; nevertheless they are included in the country statistics.

consisted of the MDGs. This special summit adopted a new declaration, the national agenda for sustainable development (Transforming Our World - the 2030 Agenda for Sustainable Development), which includes 17 universally applicable targets, i.e. the SDGs. The SDGs, reflect a more holistic approach to global development and the survival of humanity and respect to the planet and constitute the driver for the formulation of the national policies of the member states of the United Nations and for improved international cooperation until the year 2030.¹⁰

As the 2018 SDGs Report indicates, progress has been made in many areas of the 2030 Agenda the previous years, for example, worldwide the participation rate in early childhood and primary education increased to 70 per cent in 2016, from 63 per cent in 2010¹¹ while by 2018, 108 countries had national policies and initiatives relevant to sustainable consumption and production.¹² Despite this progress, there are many challenges concerning each one of the 17 SDGs. For instance, based on 2016 estimates, only 45 percent of the world's population were effectively covered by at least one social protection cash benefit.¹³ World hunger is on the rise again: 815 million people were undernourished in 2016, an increase of almost 40 million people since 2015.¹⁴ Earning inequalities between women and men are still pervasive. Men earned 12.5 per cent more than women in 40 out of 45 countries with data, while youths were three times more likely to be unemployed than adults in 2017.¹⁵ The above, along with other issues need to be confronted with gusto.

According to a recent survey that covers all 193 UN member states, no country was identified as being on track to achieving all of the goals.¹⁶ In its 2018 edition,¹⁷ in terms of how strongly the SDGs were integrated into institutions and policy among the G20 countries, which measures only whether plans are in place and not how effective they are, the survey revealed the countries with the strongest institutional support for the global goals were Brazil, Mexico, and Italy, where specific SDG strategies and co-ordination across government departments have been adopted. Interestingly, US ranked last ahead of Russia. Generally, progress in the field of SDGs has been slow. Moreover, no country in the G20 has aligned their national budget to meeting the SDGs and until 2018 only India has done a complete projection of the additional funding needed.¹⁸

¹⁰ See ICLEI (2015), pp. 1–2.

¹¹ See UN (2018a), p. 6.

¹² See UN (2018a), p. 10.

¹³ See UN (2018a), p. 4.

¹⁴ Ibid.

¹⁵ See UN (2018a), p. 8.

¹⁶ See Sachs et al. (2019), p. viii.

¹⁷ See Sachs et al. (2018), pp. 2-3.

¹⁸ See Nelson (2018) and Sachs et al. (2018), p. 5; the actual question whether budget alignment is necessary to meet SDG related targets more efficiently needs special attention and is going to be tackled in our follow-up contributions.

3. Oversight of SDGs

As mentioned above, SDG 16 indicates that the establishment of ‘effective, accountable and inclusive institutions’ is vital for the implementation of the SDGs. The final Agenda 2030 document encourages member states to conduct regular and inclusive reviews of progress at the national and sub-national levels which are country-led and country-driven. Furthermore, it is stated that national parliaments as well as other institutions can also support these processes.¹⁹ The Resolution adopted by the UN General Assembly on 25 September 2015 also highlights the important role of Parliaments in the implementation of the SDGs through enactment of legislation and adoption of budgets and their role in ensuring accountability for the effective implementation of the SDGs’.²⁰

The 2030 Agenda reaches across many, if not all, aspects of government and parliamentary business. A parliament’s constitutional responsibility to steer their country’s sustainable development directly impacts SDG implementation whether it is framed this way or not.²¹ Based on the 2030 Agenda, national parliaments have three main responsibilities, which are directly related to the implementation of the Agenda: they pass laws, approve budgets and hold government agencies accountable. These responsibilities may be an integral part towards successful implementation of the 2030 Agenda.²²

Oversight on SDGs can basically be broken down into two distinct levels. The policy level takes place in supranational organizations, such as the Inter-Parliamentary Union (IPU), the United Nations (UN) and the European Union (EU), but also regional ones, such as the Economic Community of West African States (ECOWAS). The implementation level covers the national states which are responsible for the specification and localization of the goals. The following paragraphs shed light to the policy level at the supranational policy level as the world study that is presented herein shows the conduct on the national level in great detail.

UN

The United Nations System has obviously a pivotal role in supporting member states in the implementation of SDGs. Inter-agency coordination is achieved through the Executive Committee of Economic and Social Affairs Plus (ECESA Plus), which brings together 50+ UN entities and research institutes. ECESA Plus is supported by the Department of Economic and Social Affairs (UN-DESA). In addition, the Chief Executives Board (CEB) and the United Nations Sustainable Development Group (UNSDG) coordinate follow-up activities in their respective areas across the UN system.²³

¹⁹ See House of Commons (2016), p. 52.

²⁰ See General Assembly resolution 70/1 in UN (2015).

²¹ See Together 2030 (2018), p. 6.

²² See Mulholland (2017), p. 5.

²³ See UN (2019b).

EU

The EU has a structured approach towards implementing the 2030 Agenda. The European Commission committed to the delivery of the Agenda and proposed a series of actions.²⁴ As a consequence, the Commission set 10 political priorities and established a high-level multi-stakeholder platform on the implementation of SDGs. In order to monitor implementation in an EU context, Eurostat has created a dedicated website.²⁵ For SDG 16, according to Eurostat, significant progress towards several EU targets seems to have been achieved.

IPU

One of the roles of IPU is to help parliaments achieve the objectives of the SDGs, by providing assistance and policy guidance to parliaments.²⁶ IPU organizes regional and inter-regional seminars for parliaments in order to bring attention to the SDGs and to promote cooperation in a regional level.²⁷ On the other hand, at the national/local level, IPU engages with specific field missions (needs assessment missions) to parliaments to assess their capacity to integrate SDGs via dedicated legislation. In this regard, IPU's self-assessment toolkit can be useful, as it has been designed to assist legislatures to identify good practices, gaps and opportunities when integrating SDGs into their work.²⁸ Finally, at the UN level, IPU organizes parliamentary side events at the High-Level Political Forum (HLPF) on Sustainable Development,²⁹ which is the UNs' central platform for the follow-up and review of the 2030 Agenda for Sustainable Development and SDGs.³⁰

Parliaments need to engage in the implementation and oversight of the entire SDG framework. But they also need to pay special attention to their own institutional development in line with Targets 16.6 and 16.7. For example, parliaments can work with their national statistics authority to develop indicators that reflect their own priorities in support of targets 16.6 and 16.7.³¹ The main aim of this paper is to feature and highlight the wider role of parliaments in monitoring the SDGs as well as in monitoring their successful implementation by every UN member state. Moreover, it aims to discover common features and practices in the approach that different parliaments follow, based on the analysis and evaluation of our open data set, which follows a well-defined methodology. The following section presents in more detail the scientific goals of this paper as well as the methodological approach.

²⁴ See relevant Communication by the European Commission (2016), p. 18.

²⁵ See Eurostat (2019)

²⁶ See IPU (2018b).

²⁷ Ibid.

²⁸ Ibid.

²⁹ See HLPF (2019).

³⁰ See UN (2019).

³¹ See IPU (2016), p. 7.

4. Research goals and methodology

While a lot is known and reported on the significance and the implementation side of SDGs, little is known about parliamentary involvement. This paper aims to shed light on the role of parliaments and on their methods and approaches to oversee and control governmental actors in the exercise of SDGs related policies. Another significant motive for our work was to provide feedback to the international community, regional actors and single states on how parliaments approach the challenge of monitoring implementation of SDGs. As scientific contributions on parliaments and SDGs are rather scarce,³² another goal of this study is to offer an easily accessible and transparent data set to the academic community and beyond. This was a prerequisite for the analysis that is going to follow in the next section.

This paper attempts a structured response on two research questions:

1. What is the involvement of parliamentary institutions in the oversight of SDGs?
2. Can PLS play a significant role in assisting parliaments to achieve their oversight role?

In order to tackle these issues, we first conducted a world study to identify levels of parliamentary involvement. In a second step, the principles of PLS have been screened to prove that it can be used to sufficiently advance the capacity of legislatures to monitor the SDGs. The study sheds light on the engagement of parliaments to control implementation of SDGs. For this, institutional and non-institutional measures from several parliaments were evaluated. In addition, data on intra- and extra-parliamentary conduct, and control of the budget related to the implementation of the SDGs, i.e. SDG budget, were collected. The original dataset contains 154 entries, which correspond to 153 UN member states, as well as Palestine, as an observer to the UN. The overall validity, and hence the quality, of the results of our study was ensured as particular attention was paid in the sources of data. For methodological clearance, analysis was based only on written text from official sources, e.g. Voluntary National Reviews (VNRs) and policy documents, scientific literature and existing meta-studies.³³

It needs to be underlined, that the present study integrates information from snapshots over different points in time, as for example VNRs of different countries were not generated and submitted all together. Hence, it is difficult to obtain a unified picture in the present and in real time, although we went the extra-mile to use the latest information available. Throughout our study we also encountered several challenges that were related to the quality of textual data. These so-called language barriers had for instance to do with the use of ambiguous sentences that may be a result of inaccurate expressions by the drafters. Also, translation of VNRs in official languages in a language of reference, here: English, can

³² Besides scarcity, there are publications dealing with potential benefits from parliamentary involvement, rather than analyzing actual conduct; see, e.g., Datta et al. (2016), who analyse the potential of parliamentary involvement in Bangladesh.

³³ See, e.g., UN (2018b) and Power (2012); this work can be also considered to belong to the realm of meta-studies, as we try to synthesise the findings of multiple sources.

frequently be error-prone. Overall and to our knowledge, this is the first time that an effort of analyzing parliamentary conduct on global level in relation to the SDGs has been attempted based on quantitative data. One needs to underline the fact that this is a dynamic field, with data and approaches subject to constant change. Data collection ended in December 2018. A review should be conducted within a two-year frame to show progress and/or modifications in the parliamentary approach to SDG monitoring.

5. Analysis

The analysis evaluates the previously mentioned data set, which has been made available through an open format to all stakeholders.³⁴ Data evaluation is based on transparent analysis followed a structured pattern. The used classification of UN member states is geographical but not related to the UN regional groups. Instead, a standard continental classification, with some distinct political geography elements was used.³⁵ 153 out of 193 member states of the UN, i.e. 79.3% of the member states, were examined.³⁶ With reference to the rest member states, at the time of drafting, no official information could be retrieved, such as VNRs or national policy documents. In this context, it must be noticed that, since we have no information on the rest 20.7% of the UN member states, the 153 countries constitute the basis for our calculations.

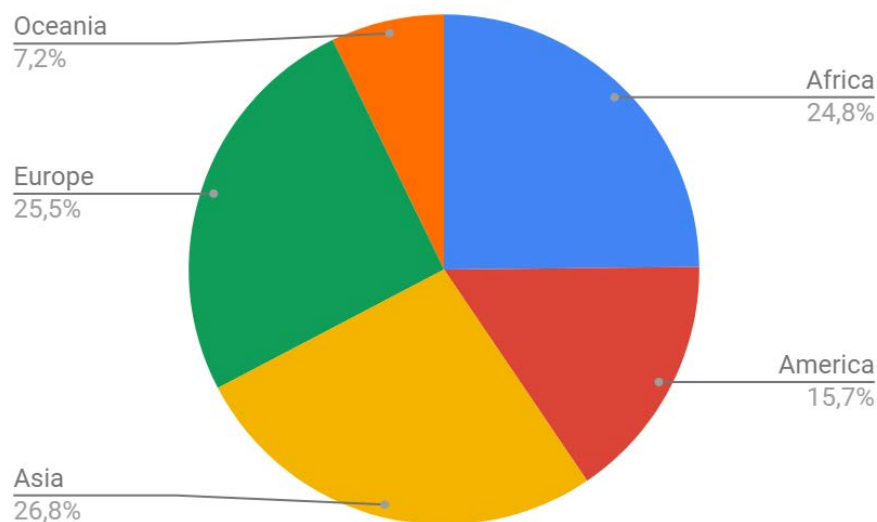


Fig. 1. Examined countries per continent

A rather balanced participation of member states from the European (39), African (38) and Asian (41) continents has been detected, each of which contributed with roughly one fourth of the sample population. America (24) follows with relatively fewer member states followed by Oceania (11). These proportions and their percentage points are visible in Fig. 1.

³⁴ See Fitsilis and Zisioglou (2019); state: Version 2, April 2019.

³⁵ According to it, Cyprus, as an EU member state, belongs to Europe, rather than Asia.

³⁶ Palestine, which has observer status, is part of the data set, but was not included in the calculations.

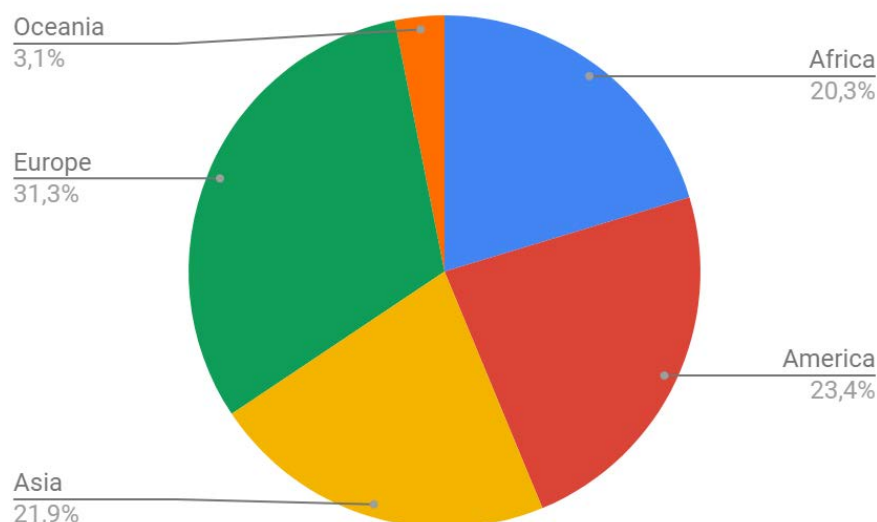


Fig. 2. Countries with parliamentary involvement per continent

Fig. 2 shows the wider picture of parliamentary involvement. Overall, from 153 examined countries, it was found that 64 countries have, or are soon to have, direct parliamentary involvement regarding SDGs. This number is particularly high when one considers that just a few years ago, in 2015, it was equal to zero. Europe has the highest contribution of member states (20) that are directly involved with SDGs. However, if one sees the glass half-empty, one could say that only half of the examined European countries, i.e. 20 out of 39, display parliamentary participation in the implementation and/or monitoring of SDGs. A rather surprising fact was found in Oceania's participation, i.e. 2 out of the 11 examined member states showed signs of parliamentary involvement. Taking into account that many countries in Oceania are small island states, at risk of disappearing due to climate change, we were expecting that far more states would have taken interest in conducting parliamentary control of the SDGs.

Continent	# involvement	# bodies	%
Africa	13	5	38,5%
America	15	9	60,0%
Asia	14	10	71,4%
Europe	20	8	40,0%
Oceania	2	0	0,0%
Sum	64	32	

(red: below average (which is 50%) / green: above average)

Table 1. Countries with parliamentary involvement per continent

In early 2019, parliaments around the world have established 32 dedicated bodies to tackle SDG related challenges. Overall, we calculate that of the 64 countries that have parliamentary involvement in the oversight of the SDGs, 32 have a dedicated parliamentary body. It is interesting to see whether these dedicated bodies are equally distributed around

the globe. Unfortunately, they are not. Table 1 shows both the number of member states with parliamentary involvement per continent and the ones with dedicating parliamentary bodies. Hence, this metric shows the importance that is being vested in new institutions, such as a dedicated parliamentary body. One may notice that 10 out of 14 UN member states in Asia, a significant number, have a dedicated parliamentary body for the oversight of SDGs. *Vice versa*, none of the 2 member states in Oceania, e.g. Fiji and Samoa, have dedicated parliamentary bodies for the purpose.

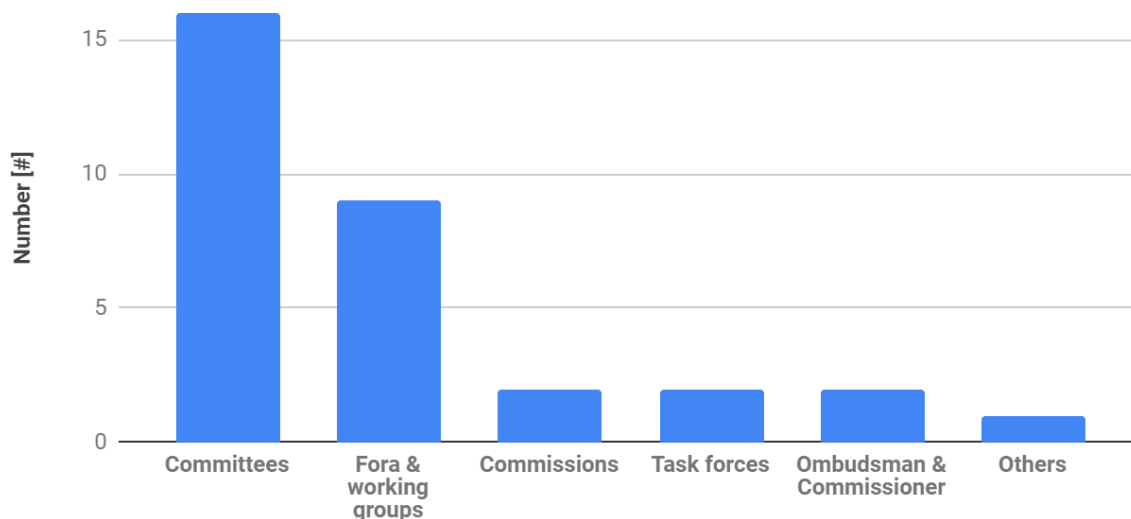


Fig. 3. Types of established parliamentary bodies

The analysis of the information about member states with a dedicated parliamentary body has led to five basic types of parliamentary bodies, which are depicted in Fig. 3: Committees (16),³⁷ Fora and Working Groups (9),³⁸ Commissions (2), Task forces (2) and Ombudsman or commissioner (2). The parliamentary bodies labeled as ‘others’ could not be categorized and included only Japan, where political party committees have been established to lead the dialogue on SDGs. We notice that half of the countries with dedicated parliamentary bodies, i.e. 16 out of 32, have chosen to establish a Committee or Sub-Committee. In some countries with bicameral parliaments, such as Nigeria and Spain, we even have dedicated Committees in both Houses.

Our findings also suggest a strong extra-parliamentary involvement, with 38 countries exercising one or more of its three facets: cooperation with government (14),³⁹ multi-stakeholder dialogue⁴⁰ (22) and participation to external commissions (7). These add in total to 43 actions, meaning that some member states exercise more than one of these extra-parliamentary activities. ‘Multi-stakeholder dialogue’ (51.2%) leads the relevant poll. ‘cooperation with government’ comes second with 32.6%, leaving ‘participation to external

³⁷ This type also includes sub-committees, since it relies on the basic principle.

³⁸ Fora and working groups are networks consisted of Members of Parliament (MPs).

³⁹ We refer here to institutionalized cooperation between government and parliament on SDGs.

⁴⁰ Typical stakeholders may include professional chambers, Civil Society Organizations (CSOs), Non-Governmental Organizations (NGOs), local self-governments and others.

commissions' third with 16.3%. Finally, only 13 out of 153 member states, i.e. 0.8%, were found to have internal procedures to exercise some level of control on budget issues related to SDGs.⁴¹ Almost half of them, i.e. 6 out of 13, are located in America.

6. PLS for SDG monitoring

'The act of evaluating laws that a parliament has passed is known as Post Legislative Scrutiny' (PLS).⁴² In the parliamentary domain, PLS falls under the function of parliamentary control. Nevertheless, to date, most parliaments lack sufficient capacity to systematically follow up on the implementation of passed legislation. Instead, the traditional system of – written or oral – questions is used by parliamentary groups and MPs to exercise parliamentary control. As parliaments continue to build up their capacities in order to adapt to new challenges,⁴³ PLS can be a domain where parliaments may increase their leverage against the executive.

In early 2018, the Westminster Foundation for Democracy (WFD) completed a publication triplet on Post-Legislative Scrutiny (PLS). It now includes a comparative study of practices of PLS in selected parliaments,⁴⁴ a guide for parliaments⁴⁵ and a policy document with principles for PLS.⁴⁶ The primary case study by WFD examined parliaments from 10 countries, i.e. UK, Belgium, Canada, India, Indonesia, Lebanon, Montenegro, Pakistan, South Africa and Switzerland. Analysis revealed a set of omnipresent principles that were documented in the relevant policy document. Further study displayed various options for introducing PLS into parliaments. These documents, and particularly the 'Guide for Parliaments' and the 'Principles', which I had the chance to peer-review, present the general framework for conducting PLS by parliaments and offer a solid methodology for implementation with specific directions to MPs and parliamentary staff in organizing PLS inquiries.

In general, PLS constitutes a recent development in parliamentary procedures and practices aiming at strengthening the parliamentary oversight on the implementation of legislation. PLS can be considered a broad concept along two main lines: the legal dimension assessing the enactment of the law and the impact dimension assessing to what extent the policy objectives of the law have been met. In this context, we shall examine the possibility to apply PLS principles, to follow-up on the implementation of SDGs and assess whether PLS is a viable long-term solution to guarantee their achievement. The choice of the PLS model is fundamental and the aforementioned comparative study may assist towards adopting the most appropriate one for any given parliamentary system. Nevertheless, it needs to be

⁴¹ These member states are: Norway, Finland, Montenegro, Uruguay, Ecuador, Costa Rica, Guatemala, Peru, Honduras, Sudan, Uganda, Mali, Nigeria.

⁴² See De Vrieze and Hasson (2017).

⁴³ See Fitsilis et al. (2017).

⁴⁴ See De Vrieze and Hasson (2017).

⁴⁵ See De Vrieze (2017).

⁴⁶ See De Vrieze (2018).

highlighted that PLS usually relies on solid ‘information and reports provided by the government’, although parliaments may also conduct own analysis.⁴⁷ Hence, all possible stakeholders need to come to an institutional agreement, possibly to be stipulated in the parliamentary Rules of Procedure.

The assignment of sufficient resources to conduct PLS is a prerequisite for it to be successful. While it seems difficult to contract additional highly-skilled personnel for conducting PLS, some parliaments assign PLS supporting duties to parliamentary research services. The extension of parliamentary research in the PLS domain certainly seems to be a viable solution, in particular for resources-scarce parliaments. Recent developments show that PLS is here to stay.⁴⁸ Several parliaments implement PLS and a set of principles and best practices have been already recognized. If parliaments get it right, the potential of PLS is strong enough for it to constitute a stand-alone parliamentary function.

The mentioned set of principles is an important element of PLS and provides guidance in establishing a realistic framework for post-legislative practice, without neglecting current parliamentary legal and procedural practice.⁴⁹ However there are five specific principles that are particularly well suited to advance oversight of SDGs. These principles, from a to e, are presented below.

Principle a: *To assess the impact of legislation, it is useful to review secondary or delegated legislation at the same time as reviewing the primary act.*

Acts of parliament often grant ministers powers to make delegated or secondary legislation. It is ideal to review secondary legislation post-enactment at the same time as reviewing the parent legislation from which it owes its authority. This is particularly the case at times when most of the provisions giving effect to a piece of legislation are held within the secondary, rather than the primary legislation, and might lead to contradictions or gaps. In some parliaments, a committee on delegated powers and regulatory reform or committee on regulations has been given this task (Canada). As with primary legislation, it would be open to parliamentary committees to commission research on the effect of specific secondary legislation or to undertake an inquiry.

Principle b: *Post-Legislative Scrutiny provides an opportunity to assess the impact of legislation on issues which cut across different Acts, such as on gender, or on minorities.*

As is well-documented, legislative initiatives frequently affect men and women differently. Systematic analysis and evaluation of law and policy, based on how they impact women, men and other relevant demographic groups can help to identify and avert or redress any potential disadvantages they may create. Such gender analysis will help to ensure that women and men have access to the same opportunities and legal protections. So, to do a

⁴⁷ See De Vrieze (2017).

⁴⁸ See, e.g., Griglio (2019) and De Vrieze (2019).

⁴⁹ See De Vrieze (2018), p.2.

gender analysis of the impact of legislation, there is need for the collection of evidence, with sex-disaggregated data or qualitative assessments of government services. It also requires policy makers to challenge assumptions about how a government programme or service should be structured, and to ask detailed questions about who is affected by a problem or issue and how they would be impacted by proposed solutions.

Principle c: *Parliament should consider whether responsibility for PLS is assigned to its permanent Committees or to a dedicated body.*

Who should conduct the PLS? In most parliaments, committees have the main responsibility for PLS as part of their oversight role. PLS thus needs to be placed in the work schedule of the Committees, in the agenda and work plan of Committees. Committees should not only review new legislation, but also PLS of past legislation. In some parliaments, the Legal or Legislative Committee conducts the review of the enactment of legislation – whether secondary legislation has been issued and what are relevant court rulings related to the law; while the thematic committees assess the impact of the law, if and how its objectives are met. In some cases, the remit for PLS is explicitly assigned to a dedicated committee (as is the case in Scotland and Lebanon). Each option has value; and the approach chosen depends on issues such as the rules of procedure; the appetite and the capacity of committees; parliament's oversight culture; established practices, and the available human resources.

Principle d: *For any parliament to conduct PLS inquiries effectively, it needs to empower its human resources.*

It is important for parliament to assign staff to work on PLS. It should be the primary task of regular committee staff supported by the research departments. There is need for parliaments to empower their staff with the requisite authority to interact with relevant institutions and stakeholders in the country. This is needed to collect the required information, obtain documents, etc. Special care needs to be taken to train skilled personnel on PLS activities. Parliament may consider whether to establish a separate secretariat research service for PLS (as is the case in Indonesia and Switzerland). Alternatively, a parliament may also decide to commission an independent body or expert panel to carry out this legislative evaluation (as is the case in South Africa). Each approach has its rationale and its advantages; and it is up to the parliament leadership to decide which approach is most suitable within the specific national and parliamentary context. In addition, parliaments need to design and operate appropriate ICT systems and applications to capture, maintain and handle the necessary data to perform PLS activities.

Principle e: *It is useful when PLS can rely on official information, but it also needs the views and information of a wide range of stakeholders, including civil society organization.*

In the UK, access to governmental information is secured through an agreement between parliament and government for a Departmental memorandum on a light touch review of the implementation of legislation, at least three years after enactment of the law. The

Memorandum is sent to the select committee, published as a report and laid before parliament. If such framework between government and parliament is not in place, the parliament needs to take the initiative to collect information and secure access to governmental data. The parliament can request government to submit information, answer to questions etc. In addition, a performance Audit by the Auditor General is also a useful source of information. Public engagement in PLS enables access to additional sources of information, increases the credibility of findings and enhances public trust in democratic institutions. Public consultation and engagement can enhance public trust in parliament as well as the democratic institutions. The results of the PLS findings, e.g. the PLS report, need to be publicly accessible, if possible using open data and document standards.

PLS and impact evaluation

In this context, a key question is how to best understand the significance of PLS in enabling SDGs and how Impact Evaluation (IE) can strengthen the objective of PLS? To answer this question, one must define IE. The World Bank defines IE as a 'systematic identification of the effects positive or negative, intended or not on individual households, institutions, and the environment caused by a given development activity such a program or project'.⁵⁰ One can thus attempt a comparison between PLS and IE. In recent decades, a rising interest in IE and a growing body of expertise and experience can be found among evaluators in the UN system, mainly due to the potential use of the method for multiple purposes.⁵¹

The main goal of IE is to demonstrate the effectiveness of an intervention in relation to its objectives. In order to make decisions about the continuation, expansion, or replication of a project or programme, the understanding of the implementation is crucial, so as to establish cause and effect chains to show whether an intervention has worked and detect its consequences. In addition, there is a strong contribution to the global evidence, based on 'what works' and 'what works for whom in what situations'.⁵² PLS is similar, but not identical to IE. Here, the evaluated outcome is to see whether the legislation is working out in practice, as intended. Understanding the effects of legislation may lead, via the identification of good practice, to better secondary legislation. Lessons may be learned both from accomplishments and failures.⁵³

7. Conclusions

This paper is the first comprehensive review of parliamentary involvement in relation to the monitoring of the implementation of SDGs, based upon quantitative data. The analysis of the information about national or federal parliaments of UN member states has led to the determination of a set of basic types of dedicated parliamentary bodies that handle SDGs related issues. Moreover, the nature of cooperation with extra-parliamentary stakeholders,

⁵⁰ See World Bank (2004).

⁵¹ On the impact assessment of SDGs and its relation with PLS, see also Ciang (2019).

⁵² See UN (2013).

⁵³ See De Vrieze and Hasson (2017).

such as the Government, NGOs and international organizations (IOs) is closely analyzed. Furthermore, significant barriers in correctly capturing parliamentary information on a global scale have been noted and discussed. In summary, to the most significant results of the analysis of our open data set belong the following:

- 79.3% (=153/193) of the UN member states examined,
- 41.8% (=64/153) of the countries display parliamentary involvement,
- of which, 50% (=32/64) are the countries with dedicated parliamentary bodies,
- 20.9% (=32/153) of the examined countries have dedicated parliamentary bodies.

These are already remarkably high results of parliamentary involvement that are surely going to improve during 2019 and 2020, as the announced VNRs start to get published. At this point, we need to underline that the existence of a parliamentary working body dedicated to the SDGs is merely a strong indicator of the determination of a parliament to actively engage in SDG monitoring. It does not constitute *per se* a quality indicator of parliamentary involvement.

The Indonesian Parliament, for instance, has not formed a special committee or sub-committee on SDGs, but rather assigns the task under the existing standing committees. The Inter-Parliamentary Cooperation Committee has been chosen to coordinate the parliamentary works on SDGs because the parliament considers SDGs as UN led initiative, hence it is seen as international affairs. Through this committee, the parliament has organized a number of high-profile international fora on SDGs.⁵⁴ In Finland there is a similar case. There exists no dedicated parliamentary committee on SDGs, but the parliament is widely represented in two significant governmental committees: the National Commission on Sustainable Development and the Development Policy Committee. Hence, when no information of parliamentary involvement is to be found it is rather straightforward to assume that the standard parliamentary control procedure via line committees is used to scrutinize SDGs.

Our findings show that parliaments rarely deal with budget issues related to the implementation of SDGs, i.e. in less than 1% (=13/153) of the examined countries. The role of parliaments in monitoring allocation of budget in relation to SDGs could be significant, particularly in cases where a Parliamentary Budget Office (PBO) is already established, as in Montenegro. Certainly, not all parliaments are equally forthcoming when it comes to SDGs. Some restrict their involvement to informative measures towards MPs, e.g. through trainings, sometimes with the help of third parties such as IPU and UNDP. This is for example the case in Brazil and Samoa.

Can PLS increase the efficiency of SDG monitoring and, consequently, implementation? The answer can be only affirmative. This is because PLS is based on a series of principles that are well-suited to follow-up on the progress of SDGs. In this regard, the proven PLS framework

⁵⁴ E.g., the 1st, 2nd World Parliamentary Forum on Sustainable Development (WPFSD) in 2017 and 2018, respectively; the 3rd WPFSD is going to take place in September 4-5, 2019 in Bali.

offers a series of tools and practices to assist parliaments. However, parliaments need first to determine a clear PLS concept.⁵⁵ Through it, additional pressure may be exercised to both to policy and law makers to amend existing primary and secondary legislation and advance its general quality. Within the greater PLS framework, new creative ways of parliamentary scrutiny may be established. PLS actors can make use of *de facto* significant parliamentary visibility to address and localize SDG related issues.

Recommendations and outlook

Despite offering novel insights in the parliamentary involvement in SDGs monitoring, several things still need to be done to upgrade the existing data set, widen the scope of our research and make it more useful to all stakeholders, from policy makers to the academic community. First, in order for this study to increase its added value, the time dimension needs to be added, i.e. the assessment needs to be repeated in a two-year cycle until 2030. It is at hand that this presents a huge task, difficult to be carried out by a single group of researchers. In addition, while studying VNRs in detail, non-scientific phrasing and discrepancies in reporting could be visible. Hence, VNRs may not be the most appropriate way for the member states to present/state their plans and progress concerning the implementation of SDGs.

For a unified collection of quantitative and textual data, we propose the development of a web platform in which national contact points from member states would directly enter their progress in distinct time frames and in a more controlled fashion.⁵⁶ Moreover, advanced training - other than preparatory workshops - is needed for those who draft VNRs, maybe through an e-learning procedure (e-learning tool). A UN level task force, e.g. under the UN Department for Economic and Social Affairs, Division for Public Administration and Development Management, could also be established for express web and field assistance. At the same time, it would be of utmost significance to see PLS further in motion in the parliamentary practice of scrutinizing SDGs. We are convinced of its usefulness, but a landmark case study in a national parliament would also prove its suitability for real world application, as it would greatly motivate other parliaments to adopt it as a means to increase their oversight efficiency on the implementation of SDGs.

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⁵⁵ Parliaments may exercise PLS via commission, committee, external working body, independent state body etc.

⁵⁶ One can also think of fully-standardized dynamic VNRs, in the form of akoma ntoso based legal documents; see, e.g., Sartor et al. (2011); such documents would have the advantage of being possible to evaluate in real time.

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