



IL4SDGs - Workshop 2:

Friday 24 November 2017, Marie Lokezaal – Harmonie Building

Financing & the Right to Science in Technology Transfer in the SDGs

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| Track 1 | Financing the SDGs through International law |
| Track 2 | The Right to Science in Technology & Knowledge Transfer |

The Department of International Law, University of Groningen cordially invites you to participate in our second, full-day [International Law for the Sustainable Development Goals Workshop](#). More information on the **two tracks** set out above can be found below, along with information on submissions.

Call for Papers

Universal implementation of the SDGs will require vast amounts of economic, natural, technological and human resources and expertise. It also requires systems for the adequate mobilisation and (re)distribution thereof – at national, regional and global levels. According to SDG 17, implementation requires, *inter alia*, access to financing, technology, knowledge transfer, capacity building, trade and investment, policy and institutional coherence, and multi-stakeholder partnerships.

‘Financing’ and ‘technology and knowledge sharing’ for (sustainable) development are two key strategies and requirements for the SDGs. This has been repeatedly affirmed in the Addis Ababa Action Agenda on Financing for Development (2015), the Paris Climate Agreement (2015), the UN 2015-2030 UN Sendai Framework on Disaster Risk Reduction (2015), and the WTO’s Doha Declaration (2001).

At the same time, *financing* and *technology and knowledge sharing* are (still) notoriously difficult topics in international law and policy, for burden sharing is difficult to regulate. **Can international law be a vehicle for establishing and operationalising legal principles and/or standards for mobilizing, sharing/distributing and allocating adequate resources?**

In addition, the crucial role of non-State actors should not be underestimated. In fact, large parts of the world’s GDP are generated by companies and their positive contributions to the SDGs are potentially a *conditio sine qua non* for their realisation. How can international law assist tapping into these resources, *e.g.* through tax law, investment law, labour law, obligations of cooperation and assistance, or through public-private partnerships, and new, open and collaborative models of scientific innovation? Banks, insurance companies and other financial institutions can make tremendous contributions towards leveraging sufficient resources for the SDGs. Companies and other private actors play a central role in developing, scaling up, disseminating and making available technologies and scientific knowledge (or not!). Other important stakeholders in the ‘multi-stakeholder effort’ for the SDGs include: international organisations, charities/NGOs, religious organizations, philanthropic actors, or individuals themselves (*e.g.* through taxes, insurance premiums, contracts for service delivery).



OUR FOCUS:

We are interested in:

- identifying legal regimes and institutional arrangements already in place, their gaps, challenges and shortcomings;
- exploring whether/how international law can make a positive contribution towards improving financing and technology sharing for the SDGs;
- discussing specific needs for improved leveraging and sharing of economic and technological resources in the context of the SDGs.

Fields of law of interest to this CfP, include (not exhaustive):

International and regional human rights law; international trade law; international investment law; international environmental law; international climate law; international water law; international health law; international energy law.

Topics of interest to this CfP, include (not exhaustive):

International development cooperation; insurance schemes; (international) tax systems; trade; debt relief; global partnership for development; PPPs; business & human rights – UNGPs; knowledge sharing; technology sharing; institutional mechanisms for financing or technology sharing; the human right to science. (All in relation to Goal 17).

SUBMISSION OF ABSTRACTS:

We invite abstract proposals from interested scholars from *all disciplines*. Proposals should not exceed **500 words** in length. Please send your proposals as an attachment to Marlies Hesselman (m.m.e.hesselman@rug.nl) for Track 1 and to Mando Rachovitsa (a.rachovitsa@rug.nl) for Track 2. The deadline for abstracts is **15 September 2017**. All proposals will undergo peer review and notifications of acceptance will be sent out by **20 September 2017**.

Draft papers are expected to be delivered by the **15 November 2017** for circulation among participants. We plan to pursue the publication of a **special issue** as a result of this Workshop.

TRACK 1:

Text of Goal 17.1 on Financing

- Strengthen **domestic resource mobilization**, incl. domestic capacity for **tax and other revenue** collection.
- Full implementation of **official development assistance** commitments by developed States, including target of 0.7% of ODA/GNI to developing countries and 0.15 to 0.20% to LDCs.
- Mobilize **additional financial resources** for developing countries from multiple sources.
- Assist developing countries in attaining **long-term debt sustainability** through coordinated policies aimed at fostering debt financing, debt relief and debt restructuring, as appropriate, and address the external debt of highly indebted poor countries to reduce debt distress.
- Adopt and implement **investment promotion regimes** for least developed countries.

Realizing the SDGs is clearly a very costly affair. UN bureaucracies currently analyse the economic costs involved with realizing specific SDGs, and calculate, for example, that extending basic water and sanitation services per SDG 3 requires global *annual* investments of \$28 billion; access to basic education in SDG 4 requires at least \$22 billion; universal access to energy services in SDG 7 another additional \$40 billion per year. By way of comparison, OECD countries leveraged just over \$146 billion of Official Development Assistance in 2016.



The enormous financing burden for the SDGs clearly reveals that delivering on the SDGs for all stakeholders requires resources currently beyond the reach of any State, and arguably even of States acting collectively. Even if States were to meet their ODA financing targets (as suggested in SDG 17), many other sources are needed. In this sense, this track also aims to ambitiously and creatively explore how international law might be able to (better) regulate/tap into private resources, *e.g.* through improved (international) tax systems, operationalizing (mandatory) global funds, harnessing SDG-proof investments, improving trade, or exploring access to domestic or international insurance and risk pooling schemes, equitable loans, credits and debt relief.

The main (non-exhaustive) questions that will guide our inquiry in this track are the following:

- ✓ Does a lack of adequate financial assistance for (sustainable) development imply a lack of compliance with obligations of international cooperation and assistance that clearly underpin a range of international legal regimes - including international human rights law (*e.g.* art. 2(1) ICESCR) – and as affirmed in the UN Charter?
- ✓ What are the legal obligations of States and other actors to mobilize, allocate/contribute and share financial resources for sustainable development in international law?
- ✓ How can legal obligations of international cooperation/assistance/financing be better operationalized? What are the relevant building blocks? Which role is there for the SDGs?
- ✓ How can international law on global tax evasion be strengthened?
- ✓ What are the institutional arrangements in place for financing the SDGs (*e.g.* global and regional funds) and what are their strengths and weaknesses? How can they be improved?
- ✓ How can international investment law be strengthened contributing towards the implementation of the SDGs?
- ✓ How can international trade law be strengthened towards the realisation of the SDGs?
- ✓ What is the role of domestic, regional or international financial institutions, including banks? Should international law better regulate financial systems in light of needs for sustainable development and the SDGs?
- ✓ What is the role of international law in supporting the establishment or regulation of adequate 'insurance/risk pooling systems' (*e.g.* the right to social security benefits in human rights law)?

TRACK 2:

Text of Goal 17.2 on Access to Science, Technology and Knowledge Sharing:

- Enhance North-South, South-South and triangular regional and international cooperation on and **access to science, technology and innovation and enhance knowledge** sharing on mutually agreed terms, including through improved coordination among existing mechanisms, in particular at the United Nations level, and through a global technology facilitation mechanism.
- Promote the **development, transfer, dissemination and diffusion of environmentally sound technologies** to developing countries on favourable terms, including on concessional and preferential terms, as mutually agreed.
- Fully **operationalize the technology bank and science, technology and innovation capacity-building mechanism** for least developed countries by 2017 and enhance the use of enabling technology, in particular information and communications technology.

The right to enjoy the benefits of scientific progress and its applications – commonly known as the right to science – is recognised in international law since the 1948 Universal Declaration on Human Rights and it is subsequently reaffirmed in Article 15 International Covenant on Economic, Social and Cultural Rights. Yet, the right to science remains a dormant provision and it is only in the last decade



that the former UN Special Rapporteur on Cultural Rights and a few legal scholars have started to explore its contours. The right to science's potential value in the context of technology and knowledge transfer and sustainable development remains largely unexplored thus far. In this track of the Workshop, we seek to raise and explore the value of the right to science in technology transfer and the implementation of the SDGs.

More specifically, we aim to discuss the role of the right to science as:

- a means to implement the SDGs and related human rights;
- an enabler of international cooperation regarding technology and knowledge sharing; and
- a stand-alone human right and the respective obligations of States in enhancing systemic policy and institutional coherence and informing policy development and coordination.

The main (non-exhaustive) questions that will guide our inquiry in this track are the following:

- ✓ What is the role of the right to science as a means to realise the SDGs and related human rights, including the right to health, right to food, right to take part in public affairs, freedom from discrimination, and right to education?
- ✓ Do States and other development actors/partners have positive obligations to ensure the dissemination and development of scientific progress and its applications with a view to prioritise and benefit vulnerable and disadvantaged individuals and communities?
- ✓ Are there any best national practices - legislation, judicial developments, SDGs-related national action plans - that can help elucidate the steps that States need to take to create an enabling environment for the conservation, development and diffusion of science?
- ✓ What can/should be the role of the right to science in the design and functioning of new and existing mechanisms created to ensure innovation and access to new and essential technologies, both in general, or as part of sharing mechanisms in treaties?
 - *Examples: UN Technology Bank for Least Developed Countries; the UN Technology Facilitation Mechanism; the Global Digital Solidarity Fund; WIPO Access to Research for Development and Innovation Programme; UNITAID Medicines Patent Pool; and the Public Intellectual Property Resource for Agriculture.*
- ✓ Do specific manifestations and applications of Intellectual Property Rights (IPRs) qualify as barriers to technology and knowledge transfers and how can the progressive realisation of the right of everyone to benefit from scientific progress transform the construction and governance of IPRs?
- ✓ How should the policies of international organisations and bodies with a prominent role in the development agenda, including the EU, WB, IMF, WTO, be informed by a human rights-based approach which gives due regard to the right to science?
- ✓ How do existing international treaties and instruments, including the International Treaty on Plant Genetic Resources for Food and Agriculture and the Nagoya Protocol on Access to Genetic Resources, promote the right to participation in scientific processes?

ANY QUESTIONS?

Please address any questions regarding this CfP to either **Marlies Hesselman** (Track 1) <m.m.e.hesselman@rug.nl> or **Mando Rachovitsa** (Track 2) <a.rachovitsa@rug.nl>. Please note that this CfP is part of a larger 2017-2018 Workshop Series on International Law and the SDGs, organized by our Department of International Law. For information, including other topics, please visit the [website here](#).