



# **Problematizing Accountability Mechanisms in The Sustainable Development Goals: The Case of India**

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## List of Acronyms

BJP	Bharatiya Janata Party
CSO	Civil Society Organisation
ECOSOC	Economic and Social Council
FYP	Five-year Plan
HLPF	High-Level Political Forum
IAEG	Independent Expert Advisory Group
MDGs	Millennium Development Goals
MEA	Ministry of External Affairs
MHA	Ministry of Home Affairs
MoSPI	Ministry of Statistics and Implementation Planning
MPs	Members of Parliament
NIF	National Indicator Framework
NITI	National Institute of Transforming India
OWG	Open Working Groups
PAIRVI	Public Advocacy Initiatives for Rights and Values in India
RSS	<i>Rashtriya Swayamsevak Sangh</i>
SDGs	Sustainable Development Goals
VNR	Voluntary National Review
UN	United Nations
UNDP	United Nations Development Programme
UNGA	United Nations General Assembly
WNTA	<i>Wada Na Todo Abhiyaan</i>

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## Abstract

This research paper provides a discussion on the accountability mechanisms in the Sustainable Development Goals (SDG), known as the follow-up and review system to report progress. While analysing the way accountability is framed for soft law agreements in multi-level governance regimes, this research problematises the ambiguities inherent in the SDG accountability framework. The paper analysis how the ill-defined mechanisms have trickled down to the national level by focusing on the case of India. The research investigates the strategies adopted by the Indian government to report progress on SDGs and the role that civil society organizations can play in holding the Indian government accountable. The research also explores whether there is collaboration, or potential for collaboration, between the two actors to overcome weak institutional capacities for data collection and reporting on SDG progress.

## Relevance to Development Studies

Sustainable development and now the Sustainable Development Goals (since 2015) have come to be at the centre of most of the debates and discussions around development, be it local or global. While the UN has been pushing the SDG agenda vehemently, member states are either framing new policies or incorporating these goals in existing national and local policies. However, the non-binding nature of the SDGs and the voluntary nature of its accountability mechanisms can manifest in the SDGs being everyone's concern but not everyone's responsibility. When it comes to the accountability framework of the SDGs there is an inherent ambiguity about global and national responsibilities.

Karlsson-Vinkhuyzen et al. (2018:1385) argue that the national level is the space where the biggest challenges as well as opportunities for accountability regimes are expected with a wide range of actors including national institutions, the parliament, audit institutions, CSOs and the media operating at national and sub-national levels to monitor and account for SDG progress. They also suggest that at the national level, governments “will have to build a sense of shared responsibility across sectors” to establish a robust accountability framework (Karlsson-Vinkhuyzen et.al 2018: 1380).

The diversity in country-level accountability processes will be considerable and thus worth researching. By conducting this research, we delve deeper into the accountability mechanism of the SDGs at the national level which is the most ill-defined. The case of India is relevant to the research for two reasons: First, because India was among the first few countries who participated in the Voluntary National Review (VNR) for the SDGs in 2017<sup>1</sup>, two years after the SDGs were adopted and second, because no research has been done on the country's national accountability mechanisms and actors involved in the process.

## Keywords

Sustainable Development Goals, United Nations, Accountability, Legitimacy, Soft Law, Power, Follow-up and Review, State, Civil Society Organizations.

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<sup>1</sup> 43 countries presented their VNRs at the HLPF in 2017.



# Chapter 1

## Introduction

This chapter introduces the research problem by providing an overview of the accountability mechanisms in the SDGs and identifies the ambiguities which make this process problematic and susceptible to non-compliance at the international and national level. A background to the research problem is then given where the researcher discusses the process which led to the adoption of the 2030 Agenda<sup>2</sup>, the diverging stance of member states on how accountability should be framed and how this reflects in the final follow-up and review document of the SDGs. The last section of the chapter discusses the scope of the study, the research objective and research questions which will guide the research. A chapter outline of the ensuing sections of the paper is also provided.

Adopted on 25 September 2015, the 17 SDGs and 169 targets aim to go beyond the narrative of economic development and achieve prosperity for all by integrating economic development with environment protection. With 193 countries committing to the 2030 Agenda, the SDGs mark a new turn in the era of multi-stakeholder global governance. The level of ambition and comprehensiveness of the SDGs argue Biermann et al. (2017:29) have “surpassed all existing attempts at global governance by goal setting” making them one of the most intriguing global initiatives to achieve sustainable development. While the goals seem to be promising, questions arise about ensuring implementation and progress as the 2030 Agenda is not a legally binding document. Therefore, the realization of the goals depends on “moral commitments and political resolve in combination with financial and institutional capacities” of the member states (Bexell and Jonsson 2016:14).

The outcome document of the 2030 Agenda states that “they [the goals] are defined as aspirational and global, with each government setting its own national targets guided by the global level of ambition but taking into account national circumstances” (UNGA 2015: para 55). The SDGs have a strong emphasis on the principle of national ownership (Persson et al. 2016: 61) which implies that countries can choose to prioritize some goals and targets over the others. Persson et al. (2016:61) therefore ask pertinent questions like “will countries then choose to internalize the SDGs agenda by adapting their commitment to national circumstances by setting national targets or will they choose to align with the global set of targets”? The bigger questions, however, which is relevant to the study and problematizes the accountability mechanisms in the SDGs is that “will the SDGs follow-up and review system *de facto* accommodate for both” (Persson et al. 2016:61). This remains unclear.

That said, Biermann et al. (2017:27) argue that such arrangements may not always yield unwanted outcomes. Instead, they say, that the “bottom-up, non-confrontational, country-driven, and stakeholder-oriented aspects of governance through goals” could be a potential factor for success. Their argument borrows from the way partnerships between actors at multiple levels has been envisaged for the SDGs. Reiterating the need for partnership for SDGs, Hajer et al. (2015: 1652) argue that collaboration is one of the ways<sup>3</sup> to avoid the risk

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<sup>2</sup> 2030 Agenda refers to the document adopted by the UNGA in September 2015 which lays down the 17 SDGs to be achieved between 2015-2030. The Agenda has 4 sections: (a) a political declaration (b) 17 SDGs and 169 targets (c) means of implementation (iv) a framework for follow up and review. The focus of this study is on the fourth section of the Agenda.

<sup>3</sup> Hajer et al. (2015) list four strategies – (i) planetary boundaries, (ii) safe and just operating space, (iii) energetic society and (iv) green competition as way to mitigate the problem of cockpit-ism. The third

of “cockpit-ism” which they define as “the illusion that the top-down steering by governments and intergovernmental organizations alone can address global problems”.

The 2030 Agenda envisions an active role for CSOs in the follow-up and review process as CSOs have the potential to ensure that the progress indicators are in line with the SDGs’ ‘leave no one behind’ agenda. They can also ensure that national governments are held accountable for their commitments and can play a crucial role in bridging existing data gaps for monitoring the SDGs. A report prepared by the Independent Expert Advisory Group (IEAG) on Data Revolution for Sustainable Development (IEAG)<sup>4</sup> in 2014 also emphasizes the need for data development for the SDGs. Calling data the “lifeblood of decision-making and the raw material for accountability” (IEAG 2014: 2) the report proposes that open data will be instrumental in ensuring transparency and accountability of governments. Other roles suggested for CSOs to ensure accountability include “providing feedback to data producers, developing data literacy and helping communities and individuals to generate and use data” (IEAG 2014: 19). However, there are challenges for performing this role. First, is funding for long term monitoring and advocacy work, and second, is the shrinking civic space in many countries (Karlsson-Vinkhuyzen et al. 2017:579). These challenges limit the ability of CSOs to both, collaborate with the government and hold the government to account on SDG progress.

While extensive research has been done on the roles envisioned for CSOs in monitoring the SDGs, little has been researched about the role that CSOs can play and challenges they face in strengthening the accountability mechanisms in the context of India. This paper is therefore aimed at problematizing the accountability mechanisms in SDGs with a focus on the mechanisms adopted by the Indian government. The research will also explore the potential role, if any, that CSOs play in holding the government accountable for otherwise non-binding commitments like the SDGs and the challenges they face while doing so. Based on the research findings, the best practices adopted by India to engage with CSOs in accounting for SDG progress can guide other developing countries who have complained of insufficient institutional or financial capacity in monitoring and reporting. Similarly, if significant challenges are reported it opens scope for further research on measures to overcome these challenges and strengthen national accountability mechanisms in the SDGs.

## 1.1 Background to the research problem

The term sustainable development was coined in the World Commission on Environment and Development’s report, *Our Common Future*, in 1987 (Sindico 2006: 829). The SDGs were adopted almost three decades later, in a renewed attempt at bringing the international community to work on sustainable development. This was a result of three years of multi-stakeholder negotiations and consultations where the SDGs took forward the development agenda of its predecessor- the Millennium Development Goals (MDGs). This approach marks a significant departure from the way the MDGs were framed. Set at the global level, the “one-size-fits-all approach” of the MDGs (Biermann et al. 2017: 28) earned it a lot of criticism for its top-down approach to development. The SDGs have corrected this and the entire process that lead to the adoption of these goals is a huge feat in collaborative global governance. Here it is worth mentioning the diversity of the Open Working Groups

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strategy- energetic society which argues for better and more active collaboration between the government and other societal actors- is relevant to this study.

<sup>4</sup> The IEAG was constituted on 29 August 2014 by the then Secretary-General Ban Ki-moon to assess new ways of supporting conventional statistical systems to strengthen accountability in the SDGs. See more at <https://bit.ly/33B3heU>

mandated with drafting the 2030 Agenda which had representatives from 70 countries. These groups held 13 meetings for 16 months beginning in 2013 to July 2014 to create the final outcome document. Experts commend the universal nature of these goals as “hard won and transformative” (Dodds et al. 2017: xiv).

### 1.1.1 Ambiguities in the Follow-Up and Review Process

The 2030 Agenda document lays down the basic premise of the accountability mechanisms in the SDGs as governments committed “to fully engage in conducting regular and inclusive reviews of progress at subnational, national, regional and global levels” (UNGA 2015: para 77). Under this multilevel review system, the High-Level Political Forum (HLPF)<sup>5</sup> is the institution that has been given the central role in overseeing follow-up and review at the global level. Every year an eight-day long event is organized where various global and regional reports are presented and parallel discussions and presentations are held on the goals. In terms of individual state accountability, countries participate in voluntary national reviews (VNRs) where they present country specific progress on a few SDGs selected for review in the particular year. This is also the space where questions can be asked to a country from other state representatives, experts as well as non-state actors like CSOs. The 2030 Agenda states that the VNRs should “facilitate the sharing of experiences, including successes, challenges and lessons learned” (UNGA 2016a: para 7). While these documents elaborate on how follow-up and review is to take place, Persson et al. (2016:59) argue that there is “less elaboration of what needs to be followed up and reviewed, why and with what effect.” For instance, it is unclear whether the VNRs should take account of goals and targets at the global level or those defined nationally. Persson et al. (2016:62) raise the question that if both are to be reviewed, then what should the balance and focus be? Not only do the official documents leave important questions about the review mechanism unaddressed, the language of the text is also vague and open to interpretation as the two terms -follow -up and review- are not explicitly defined in them. There is also lack of clarity on what to review- outcome indicators for progress on the targets, or the actions taken to achieve them (Persson et al. 2016:60).

The ambiguous nature of the formal accountability regime in the SDGs can be partly attributed to the lack of consensus among member states on the kind of accountability framework that should be adopted for monitoring the SDGs. During the negotiations leading to the adoption of the SDGs, the European Union advocated a Monitoring, Accountability and Review framework while the G77 and China were not in favour of monitoring or accountability mechanisms (Hyvarinen 2015: 4). Therefore, disagreements over what the accountability regime should be and the fact that the SDGs fall in the category of soft law<sup>6</sup> led to the adoption of a voluntary ‘follow-up and review framework.’

The 2030 Agenda document calls for a “robust, voluntary, effective, participatory, transparent and integrated follow-up and review framework” (UNGA 2015: para 72). Despite laying down the objectives of the accountability mechanisms in the SDGs, the document does not address the question of balancing global accountability at the HLPF level with national sovereignty. The “globally shared but unspecified responsibility among states provides a weak basis for accountability” argues Karlsson-Vinkhuyzen et al. (2018: 1380). Further problematizing intergovernmental policy arenas like the SDGs, Karlsson-Vinkhuyzen et al. (2018: 1382) opine that the “HLPF centred accountability regime” can result in states being apprehensive of holding individual fellow states to account while they will be keen on reviewing

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<sup>5</sup> The HLPF has been established under the auspices of the United Nations General Assembly (UNGA) and the Economic and Social Council (ECOSOC) to review progress on SDGs by member states.

<sup>6</sup> This has been discussed in the second chapter

global progress. That said, CSOs can present data on SDG progress either during HLPF events or elsewhere to hold countries to account. However, given the nature of the accountability regime, CSO reports are unlikely to even cause informal sanctions- reputational in this case (Karlsson-Vinkhuyzen et al. 2018: 1384)- as the process is mostly seen as facilitative to encourage learning as envisioned by the 2030 Agenda document.

## **1.2 Scope and Focus of the Study**

The scope of this research is to study accountability mechanisms at the national level with a focus on the Indian government's engagement with CSOs to report on SDG progress. India centres its monitoring and review of SDGs around the National Indicator Framework (NIF)<sup>7</sup> designed by the Ministry of Statistics and Program Implementation (MoSPI). However, scholars argue that for implementation and monitoring to be effective at the national level shared responsibility will be needed beyond governments (Karlsson-Vinkhuyzen et al. 2018:1381) given their insufficient capacity to implement and monitor the goals. The 2030 Agenda document also encourages national reviews to draw on contributions from “indigenous peoples, civil society, the private sector and other stakeholders” (UNGA 2015: para 79). Thus, the research will explore to what extent has the Indian government engaged with CSOs for reporting on SDGs. This brings us to the research objective and questions which have been listed below.

## **1.3 Research Objective**

The research objective of this study is analyze the Indian government's experience in involving CSOs to account for progress on the SDGs?

## **1.4 Research Questions**

This study has three research questions:

- 1.What are the challenges faced by the Indian government in accounting for progress on the Sustainable Development Goals?
- 2.To what extent have Civil Society Organizations in India contributed to SDG indicator setting and data collection, as well as national accountability mechanisms more broadly?
3. What are the tensions between the Indian government's upward accountability towards the UN HLPF and the national/downward accountability mechanisms towards CSOs, and how is the government negotiating these?

## **1.5 Research Paper Outline**

This study has been organized in in the following order. Having given an introduction and background to the research problem, the second chapter reviews relevant concepts and provides a conceptual framework for analysis. The third chapter then discusses the methodology used for the research and limitations of the study. This is followed by the fourth chapter which provides a contextual background to the research findings which are then discussed in detail in the fifth chapter. The study ends with the sixth chapter which concludes the research.

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<sup>7</sup> NIF has been discussed in chapter five.

## Chapter 2

### Review of Concepts

In this chapter the researcher reviews key concepts which have been used to analyze the research questions of this study. We begin by placing SDGs as a *soft law* instrument in multi-level global governance and discuss the *legitimacy* of these international agreements. We then review the concept of *accountability* and discuss some of its conceptualizations which are most relevant to this study. There is also a discussion on the concept of *power* which is intrinsic to accountability. The chapter ends with a discussion on the potential role that CSOs can play in the SDG accountability regime.

The 2030 Agenda document requires member states to chalk out indicators and implementation plans based on national and local contexts and design their own follow-up and review system. To be sure, this document was adopted on the premise that it “would not be legally binding but nonetheless would be seen as a guiding and inspirational document” (Kamau et al. 2018: 157). Thus, the voluntary nature of the SDGs coupled with the lack of concrete mechanisms to report progress raises fundamental questions about the accountability framework of the SDGs. To mitigate this obstacle scholars, point to the use of soft law instruments “in the political and legal struggle towards sustainable global governance” (Sindico 2006: 829).

### 2.1 SDGs as Soft Laws

The international law arena ranges from hard law- legally binding agreements monitored by enforcement bodies through formal sanctions- to soft laws – non-binding agreements which hold member states to account through informal sanctions. Situating SDGs in international law, Persson et al. (2016: 60) argue that these aspirational goals are “a set of norms at the softest end of the ‘hard-to-soft’ continuum.” Based on the elements of voluntary participation and consensus-based mechanisms (Sindico 2006: 831), soft law provides for multi-stakeholder and non-confrontational legal regimes. These voluntary standards are the “principles and norms that depend on consent, consensus and resources other than government authority for their work” Kirton and Trebilcock 2004:10 (as cited in Sindico 2006: 831).

Persson et al. (2016: 60) identify three characteristics of the SDGs as soft law. First, the lack of legal obligations to achieve the SDGs by 2030; second, the lack of precision of the 17 goals and 169 targets which leads to some vague and aspirational outcome targets and third, little delegation to authorities including courts, arbitrators, and administrative organizations to implement agreements. The consequences of non-compliance in this case come from what Karlsson-Vinkhuyzen and Vihma (2009:9) call “soft sanctions” which can result in actors complying with an agreement for the fear of a negative impact on their reputation. Though impacts on an actor’s reputation using moral and diplomatic pressure are a common enforcement mechanism for all international law (Chinkin 1989 as cited in Karlsson-Vinkhuyzen and Vihma 2009:9) they gain prominence in the case of soft law. Apart from using reputational impacts as a tool to keep a check on actors, Karlsson-Vinkhuyzen and Vihma (2009:9) also highlight the role of CSOs to check non-compliance through monitoring and reporting progress.

The benefit of soft law instruments, especially in the case of the SDGs, is that it encourages wider participation by stakeholders “by offering lower contracting costs and facilitating compromise” (Abbott and Snidal 2003: 434). This provides states with more flexibility to deal with uncertainties and incorporate lessons learnt to improve national implementation and

monitoring processes. Shaffer and Pollack (2009: 21) argue this also allow states to engage with each other without worrying about enforcement which results in “lower sovereignty costs” especially in sensitive areas. That said, the low level of obligation and absence of enforcement mechanisms can lead to low commitment in implementing and monitoring the goals and non-compliance in some cases. Scholars like Kirton and Trebilcock 2004:28 (as cited in Sindico 2006: 835) maintain that soft law is an important step in framing international norms but caution that these laws are “by no means a silver bullet solution in all spheres.” Soft laws run the risk of creating opportunities for states to evade responsibility which can lead to weak accountability mechanisms. Therefore, a strong follow-up and review mechanism is critical to counter this challenge and to maintain the credibility of the SDGs.

## 2.2 Legitimacy

Given their non-binding nature, legitimacy remains one of the central pillars of soft law mechanisms. Bodansky (1999:601) argues that legitimacy is about the justification of authority and *legitimate authority* according to him simply means “justified authority.” Similarly, Bernstein and Cashore (as cited in Sindico 2006: 839) define a rule to be legitimate if “relevant audiences accept it as appropriate.” A legitimate rule thus entails a public acknowledgement of an authority and its right to govern. This acceptance stems from the fact that the rule in question is based on shared value and interests of the international community. Once it is established that a norm reflects and protects shared values, it will be deemed legitimate (Sindico 2006:839). Discussing authority and legitimacy, Bodansky (1990: 602) argues that what requires justification is the authority of a decision or rule rather than its content. Legitimacy, therefore, is not based on whether a rule “is substantively correct” (Bodansky 1990: 602) it rather depends on support for the regime framing the rule.

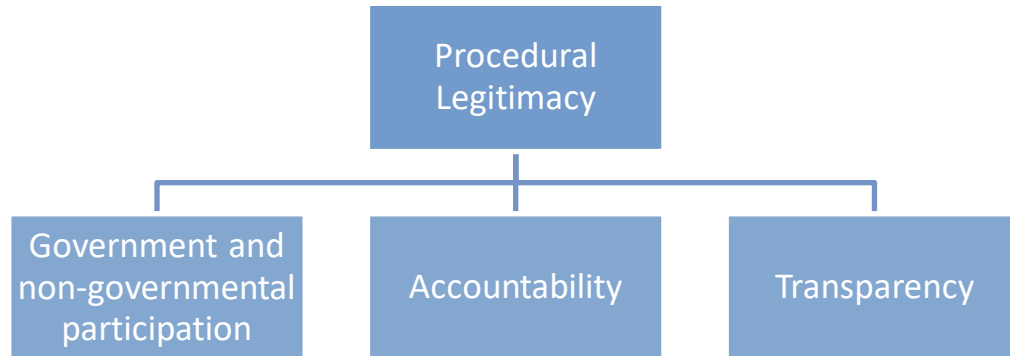
In this case, the SDGs derive their legitimacy from being representative of the resolve of 193 member nations to collectively work towards sustainable development in a goal-oriented, time-bound manner. While the MDGs were a top-down agreement within the UN Secretariat, its successor-the SDGs, were agreed upon “in a public process that involved inputs from over 70 governments as well as representatives from civil society” (Biermann et al. 2017:27). The perception of the United Nations General Assembly’s (UNGA) legitimacy is a critical source of its power and effectiveness in ensuring the long-term success of the 2030 Agenda.<sup>8</sup>

Drawing on various theories on legitimacy, Bodansky (1999:612) groups them into three categories: source-based, procedural and substantive legitimacy. In *source-based legitimacy*, an authority is deemed legitimate by its origin or source- be it from rulers, God, experts or even tradition. For *procedural legitimacy* authority is legitimate if it emerges from fair procedures- for instance, judicial and administrative authority. Lastly, in the case of *substantive legitimacy* an authority enjoys legitimacy if it produces desired outcomes- for instance, economic welfare or social justice. Karlsson-Vinkhuyzen and Vihma (2009:14) further build on Bodansky’s (1999) grouping of legitimacy and categorize the first two as input legitimacy and the third as output legitimacy. While *input legitimacy* refers to the procedural characteristics of a rule-setting process, *output legitimacy* refers to acceptance of rules because of their (perceived) ability to solve problems (Karlsson-Vinkhuyzen and Vihma (2009:14). Procedural legitimacy and its three sub-components as represented in the figure below is the most relevant to this study and has been discussed further.

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<sup>8</sup> To be sure, popular legitimacy is not the only source of effectiveness of a regime as Bodansky (1990: 603) argues that people can reject or accept a rule or an institution on other grounds.

**Figure 1: Procedural Legitimacy**



Source: Developed by the researcher based on Karlsson-Vinkhuyzen and Vihma's conceptualization (2009:14).

Explaining procedural legitimacy in the context of international negotiations, Karlsson-Vinkhuyzen and Vihma (2009:16) talk about the low levels of democratic debate and accountability checks in this policy arena as compared to domestic policy. The first sub-component i.e. the *participation of government and non-governmental actors* is an important way of strengthening the legitimacy of global governance suggest Reinicke and Witte 2000 and Scholte 2002 (as cited in Karlsson-Vinkhuyzen and Vihma 2009:17). Increased participation, especially by the non-governmental actors, has a positive impact on the other two sub-components of accountability and transparency mechanisms. As far as *accountability* is concerned, the presence of a weak global governance structure implies that accountability “centers around states and domestic contexts” (Karlsson-Vinkhuyzen and Vihma 2009:17). The third sub-component of *transparency* is envisioned as a much broader concept which goes beyond the disclosure of relevant information regarding processes. Making a case for CSOs to hold stakeholders accountable, Mitchell (1998: 110) argues that this wide conception of transparency strengthens the participation of CSOs which in turn makes procedural legitimacy more robust.

## 2.3 Defining accountability in multi-level global governance arrangements like SDGs

There is a vast literature on accountability and the diverse conceptualizations imply different ways in which the accountability relationship between the accountor and accountee<sup>9</sup> is shaped. Bovens et al. 2014 (as quoted in Karlsson-Vinkhuyzen et al. 2018: 1375) argue that a core aspect of accountability across its wide range of use is the emphasis laid on providing answers “towards others with a legitimate claim to demand an account.” This argument also resonates in Bexell and Jonsson’s (2016: 17) definition of accountability as the act of being answerable to others for the way an individual/people have carried out their obligations. A rather simple definition, however, it has an inherent “backward-looking sense of responsibility” (Bexell and Jonsson 2016: 17). However, some scholars like Mashaw (2006:132) argue against this conceptualization of accountability which implies that sanctions- either formal by way of fines, legal action etc or informal by causing reputational damage- are an essential part of accountability. He makes the point that sometimes sanctions are a sign of failed accountability because the purpose of an accountability regime should be “forward-looking.”

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<sup>9</sup> Hiedelberg (2017: 1386) argues that this relation is based on the presumption that the accountor reports to the accountee and the accountee has some control over the accountor.

Thus, an argument is made by some (Karlsson-Vinkhuyzen et al. 2017) in favour of a more “*facilitative accountability*” which entails impacts like a positive reputation by way of praise or even encourage learning from good practices. That said, Karlsson-Vinkhuyzen (2018:1377) further argues that the type of actors engaged in holding accountors answerable depends on the type of accountability regime which in this case has been identified as social accountability

### 2.3.1 Social Accountability

Grandvoinnet et al. (2015:1) define social accountability as the “extent and capability of citizens to hold the state accountable and make it responsive to their needs.” Calling it a form of civic engagement, (Grandvoinnet et al. 2015:1) argue that social accountability involves the direct or indirect participation of citizens and CSOs “in exacting accountability, including efforts by the government and other actors”. They further list five constitutive elements of social accountability which are based on an interplay between citizen and state action. These elements include citizen action, state action, citizen-state interface, information and civic mobilization (Grandvoinnet et al. 2015:3). The first three elements are relevant to the study and have been discussed here. *Citizen action* is the central constitutive element of social accountability and can comprise diverse activities including protesting against injustice, making demands for information, justification of action or even sanctions for inaction. *State action*, Grandvoinnet et al. (2015:3) argue needs to be understood within a specific context as the drivers of state action varies on different situations depending on the incentives facing elected and nonelected officials. *The citizen-state interface* on the other hand, not only includes the actual interactions between the two actors but also the processes that lead up to their interaction, what happens in-between and after the interaction.

Having briefly discussed the key constitutive elements, we move to the two institutional spheres- *political and civil society*- which shape social accountability according to Grandvoinnet et al. (2015: 36). These spheres are the focus of this study as the strength or weakness of social accountability depends on the interaction between the two spheres. Emphasizing on the importance of its political aspect, Hickey and King (2016:1234) opine that achieving social accountability is “a profoundly political challenge”. Explaining the inherent political nature of social accountability, Grandvoinnet et al. (2015: 9) list three contextual factors which impact social accountability: (a) the *political society* i.e. the commitment as well as capacity of the state-politicians as well as bureaucrats and (b) *state-society* relations which refers to the social contract<sup>10</sup> and includes the formal and informal state-society accountability mechanisms and (c) the *commitment and capacity of civil society* to demand accountability. The capacity of civil society as an effective agent is shaped by its authority and legitimacy to hold the state to account. Having discussed accountability relations between the state and civil society in the national context, the next section reviews accountability between the state and the UN at the international level.

### 2.3.2 External and Internal Accountability

Keohane (2003) conceptualizes accountability as internal and external, whereby in *internal accountability* the accountor and accountee are “linked to each other institutionally”; and in *external accountability* those who desire to hold account are not directly or institutionally linked to the accountor. He argues that states are powerful and are often not externally accountable but “institutions of multilateralism exist that hold them accountable on some issues”

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<sup>10</sup> Social contract refers both to the “legitimacy of political rule, including the capacity of citizens to hold rulers to account, and also the pursuit of social justice as a fundamental principle of government” (De Wall 1996 as cited in Hickey and King 2016: 1233).



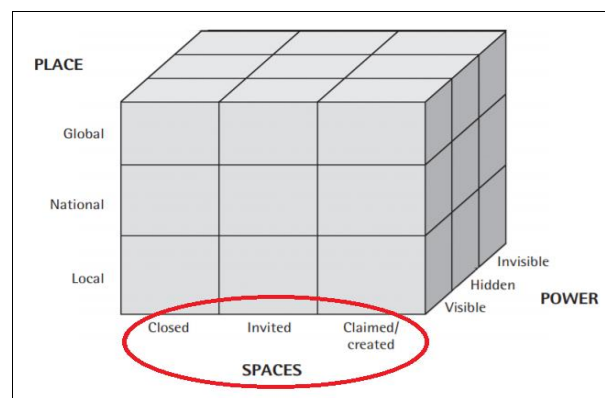
(Keohane 2003: 154). David Held (2002b: 21 as cited in Keohane 2003: 24) attributes a part of the problem of external accountability to democracy where “arrogance has been reinforced by the claim of the political elites to derive their support from that most virtuous source of power – the demos.” Its shortcomings aside, external accountability is essential in maintaining the legitimacy of global governance in the long run (Keohane 2003: 156). For the scope of this study, reputation as a form of external accountability is the most relevant. Though “the lack of institutionalization of reputational concerns” make it a weak source of accountability, it is still significant as the reputation of states matters for its other activities, argues Keohane (2003: 155). He also points out to the weakness of external accountability as compared to internal accountability when it comes to global governance initiatives like the SDGs (Keohane 2003: 156). That said, Keohane (2003:158) opines that internal accountability should “supplement external accountability rather than substituting for it”. That said, the issue here is not the “lack of accountability” as much as issues of “accountability to whom” argues Keohane (2003:158). Different accountability regimes will favour different types of actors because accountability is inextricably linked to power. In the next section we discuss the linkages between power and accountability.

## 2.4 Spaces of Power

For this study, we conceptualize accountability using a political lens to analyze the space where the conflict over accountability takes place and the kind of social relations between the actors present in this space. This is what also makes accountability a power-laden concept. Biermann and Gupta (2011: 1857) argue that power is a core element of deliberative democracy where “the empowered space of political decision-making is held accountable to the public space of deliberation.” Exclusion and inclusion of actors is thus key to this space of contestation. They enlist two main questions which arise in this space: first, who decides who all will be included in the empowered space of decision making and second, whose voices carry more weight in the public sphere of deliberation (Biermann and Gupta (2011: 1857). CSOs operate in this space and their effectiveness largely depends upon the networks they build within the civil society as well as with the state. Additionally, the agency within civil society is also “closely shaped by the underlying field of power relations, involving forms of inequality and exclusion along economic, social and cultural lines” (Hickey and King 2016: 1232).

The space given to CSOs in the SDG framework can be studied using John Gaventa’s Power-cube (refer to figure below) which is a framework for analysing how different levels, forms and spaces of power interact to enable or constrain action (Pantazidou 2012: 9).

**Figure 2: Power Cube**



Source: Gaventa (2005:11)

For this research the focus is on spaces of power which refer to “potential arenas for participation and action” and include closed, invited and claimed spaces (Pantazidou 2012: 7).<sup>11</sup> For CSOs in India working on SDGs, this space is created through the invitation of government or supra-national bodies like the UN for consultations and workshops. Pantazidou (2012:10) points out that rules of access as well as engagement define who gets to participate and has a voice within a given invited space as being invited to a space does not necessarily mean having power in it. The transformative potential of participation in an invited space may not bring about much change, unless “there is also a strong mobilization from outside the space, and strong political will on the inside to hold the space open and ensure that it is listened to” (Gaventa 2005:9). That said, “who creates the space is critical to who participates in it” opines Gaventa (2005:9). He explains that it is very likely to have power in one space but not have much in another space as who creates the space also decides who may enter and with “which identities, discourses and interests” (Gaventa 2005:10). While the discussion on contestation for space by CSOs in the face of existing power relations has been introduced here it will also be addressed in the sixth chapter, using it to analyse the research findings. Meanwhile the next section discusses the role of CSOs in the SDG accountability regime.

## 2.5 CSOs in the SDG Accountability Regime

From being synonymous to the state in the sixteenth-century English political thought, to its contemporary usage of being different from the state, the meanings of ‘civil society’ have varied across time and place (Scholte 2005: 5). In case of global and national governance, civil society refers to “a political space where voluntary associations explicitly seek to shape the rules that govern one or the other aspects of social life” (Scholte 2005:6). Going beyond registered and formally recognized NGOs, civil society encompasses actors including labour unions, think tanks, business forums, academic institutions, local groups etc. That said, Chandhoke (2004:152) cautions against seeing the relationship between the state and civil society as that of opposition, for “actors in the civil society need the state for various purposes.” She argues that civil society actors depend upon the state to redress grievances by means of reforming institutions and to reform the civil society itself, for instance by law enforcement. In the context of the SDGs, CSOs need to go beyond the watchdog function and engage simultaneously “in multiple functions—accountability, implementation, engagement, advocacy; at multiple levels—local, national, regional, global; and on multiple fronts—with the public, the media, governments, and the corporate world” argues Sriskandarajah (2018:307). Emphasising the critical role of CSOs, he also says that CSOs will have to become more resilient for the SDGs to be more than just aspirational goals (Sriskandarajah 2018:310).

### 2.5.1 Policy Research as Advocacy

One of the ways by which CSOs can perform the role envisioned for them is by influencing the government by using policy research. Weiss (1991) illustrates three ways by which policy researchers can influence policy decisions; these are – policy research as data, ideas and arguments. Policy research as data has the maximum impact in situations of consensus on values and goals when “two or three alternatives are sharply posed” or in rapidly changing situations (Weiss 1991: 41). Policy research as ideas is most likely to be influential at initial stages of policy discussions or when there is high uncertainty, while research as arguments

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<sup>11</sup> These spaces are actively shaped by different forms of power (visible or less visible) and places (global, national or local) where the contestation takes place, however, the focus here is on spaces of power.

works best in adversarial decision-making when conflict is high or even after decisions have been made (Weiss 1991:41). Using policy-based evidence, CSOs can influence policy and hold governments accountable given the role envisioned for them to facilitate national governments in capacity building for generating data to monitor SDGs.

That said, one must also consider that the willingness of CSOs to hold the state accountable is shaped by factors including their “incentives, interests, past experiences with accountability and relationship with powerful actors” (Grandvoinnet et al. 2015: 90). While the technical and organizational capacities of CSOs are critical for demanding accountability, their political capabilities are equally important. In this scenario, what determines the success or failure of social accountability according to Grandvoinnet et al (2015:91) is the “extent to which CSOs are capable of exerting influence over the often-contested and politicized decision making.”

Given the loopholes in the accountability mechanisms framed for the SDGs, CSOs become critical in ensuring accountability by bridging data gaps to monitor progress. Indeed, some of the first countries which presented their plans to the UN in 2016 argued that they would require “better data in terms of geographical coverage, frequency, and specificity” if the success of these plans is to be measured properly (Sriskandarajah 2018: 312). Advocating for citizen-generated data, Sriskandarajah (2018: 313) refers to initiatives like the Promise Tracker in Brazil<sup>12</sup> and Everyone Counts<sup>13</sup> operational in over 40 countries in Africa which ensures that data used to monitor the SDGs considers voices of marginalized communities. Such initiatives are also important because some of the official data is only collected over a time period of five to ten years<sup>14</sup> and can impact monitoring progress. Therefore, CSOs can play an important role in providing timely, frequent and good quality data to hold national governments accountable for the SDGs. The Promise Tracker, for instance, aims at data collection for civic action. It is a citizen-monitoring platform where communities monitor development work, collect data using a mobile application and use this data to advocate for change with local governments (Promise Tracker, n.d.).<sup>15</sup> It is a collaborative effort which has partnered with “civil society groups, universities, and government oversight agencies in Brazil” (Promise Tracker, n.d.). As for Everyone Counts, it is an initiative founded by World Vision, CARE International and Kwantu and it aims to empower marginalized citizens in Africa to raise their concerns regarding public services. The initiative has been founded keeping in mind SDG indicator 16.6.2 which deals with the proportion of population satisfied with their last experience of public services (Kwantu 2016, n.d.).<sup>16</sup>

Having analyzed literature on soft law mechanisms, legitimacy, accountability and power a framework has been developed and represented in the figure below to show the inter-linkages between these concepts.

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<sup>12</sup> More details for Promise Tracker can be accessed here <https://promisetracker.org/>

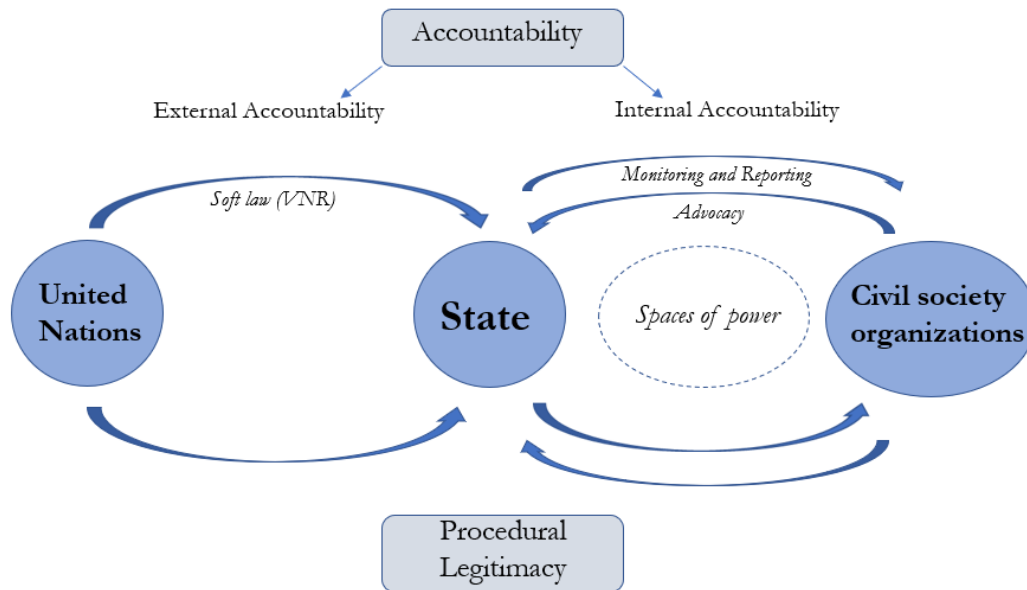
<sup>13</sup> More details for Everyone Counts can be accessed here <https://bit.ly/2Qc0dlq>

<sup>14</sup> For instance, the Census of India data which will be discussed in Chapter 5.

<sup>15</sup> See here <https://promisetracker.org/>

<sup>16</sup> See here <https://bit.ly/2qpQIEq>

**Figure 3: Conceptual Framework**



Source: Developed by the researcher

This framework situates the state as the key actor who is accountable to both the UN as well as CSOs according to the way the follow-up and review system for the SDGs has been framed. While UN holds the state accountable through soft law instruments like the Voluntary National Review, at the national-level accountability mechanisms include the government monitoring and reporting progress made on SDGs while CSOs use advocacy based on their own research as a tool to hold the government accountable. The perception of the UNGA's legitimacy as an inter-governmental body is a key source of its power and ability to ask member states (in this case India) to adopt, implement and report on SDGs. At the national level, while the state has a legitimate claim to authority, CSOs gain legitimacy by virtue of representing the voices of the marginalized to hold the state accountable. However, legitimacy and ensuing accountability relationships do not exist in vacuum. CSOs' claim to hold the state to account exists in a space where politics and power operate and shape the way the two actors- state and CSOs- engage with each other.

In this chapter we discussed the concepts of soft law, legitimacy, accountability and power and developed a framework which links three key actors-state, CSOs and UN- in the SDG accountability regime at the global and national level. This framework will be used to analyze the research findings but before that we discuss the research methodology used for this study in the next chapter.

## Chapter 3

### Research Methodology

This chapter discusses the two research methodologies that were used and their relevance in collecting data for this study. Explaining the research process- analyzing secondary data and collecting primary data through field work- this chapter also apprises the reader of challenges faced while conducting the research as well the limitations of the study.

This study employs mixed methods for qualitative research by conducting semi-structured interviews and a critical review of key documents. Since the research paper analyses the way the follow-up and review process has been laid down in the SDG documents and how India is adapting these processes at the national level, this approach is best suited for the research. The primary data and secondary data were used at different stages of analysis for this research. The secondary data was useful in framing the research problem and objective and guiding the research in its initial phases. The latter half of the study, however, focuses on analyzing primary data. The two research techniques are elaborated below.

### 3.1 Analysis of Secondary Data

The 2030 Agenda is the result of rigorous consultations and negotiations which led to the production of multiple documents relating to issues ranging from financing for SDGs, addressing data gaps for monitoring to the follow-up and review mechanisms for the goals. After their adoption, the Indian government also produced different documents to adapt the SDGs to the national context and report progress. The following documents were analyzed for this research:

#### ***3.1.1. UN General Assembly documents:***

1. A/RES/70/1 Transforming our world: 2030 Agenda for Sustainable Development (2015).
2. A/70/L.60 Follow-up and Review of the 2030 Agenda for Sustainable Development (2016)

These were analysed based on the following criteria:

- The document's language- clarity/vagueness in defining the process.
- Tone of the document- commanding/conciliatory (for example, the UNGA *decides to* vs *encourages to*).
- Diversity of actors and roles envisioned for them.

#### ***3.1.2. Government of India documents:***

1. India's Voluntary National Review Report (2017)
2. SDG Index India, Baseline Report (2018) which tracks progress at the national and sub-national level on 62 priority indicators.

These were analysed based on the following criteria:

- Content of analysis (policies, programs, data etc)
- Method of analysis (qualitative-thematic review, quantitative or both)
- Use of disaggregated data (in line with SDGs leave no one behind agenda)
- Depth of analysis (reporting on goals or indicators or both)

All these documents were used to provide a context to the research, develop research questions and were revisited after the field work to verify research findings.

## 3.2 Conducting Semi-structured Interviews

Primary data was generated during fieldwork spanning six weeks which was conducted at the national and sub-national level in India. Overall 15 interviews were conducted with actors in the central and state government, civil society and the UN Resident Coordinators office, India. Interviews were held with the officials of National Institution for Transforming India (NITI) Aayog, Ministry of Statistics and Implementation Planning (MoSPI), Ministry of External Affairs (MEA), UN Resident Coordinators office, India and CSOs. The wide range of actors interviewed is crucial to understand the dynamics of multi-stakeholder governance and the ensuing accountability mechanisms at the national level. In addition to formal interviews, informal conversations<sup>17</sup> held with some of the respondents was useful in understanding the intricacies of the reporting process. Two interviewees from civil society (C01 and C02) were interviewed twice so they could respond to comments made by government officials regarding engaging with CSOs. This was done to ensure accuracy of the accounts given by both actors.

### 3.2.1 Criteria for selecting interviewees

Given that the Indian government has identified institutions for overseeing the implementation and monitoring of SDGs in India, the research approached the officials designated for this task. The NITI Aayog is tasked with overseeing the coordination and implementation of SDGs, MoSPI is responsible for framing indicators and data collection for monitoring SDG while MEA played a key role in negotiating the SDGs while they were being discussed based on India's domestic conditions. The responses of these interviewees were useful in addressing the first research question. Similarly, interviewing officials in the UN Resident Coordinator's office corresponds to answering the third research question on Indian's upward accountability. However, the researcher used her discretion while approaching CSOs for interviews. Illustrating the changing nature of civil society Clarke and Mehta (2015)<sup>18</sup> argue that as the rights-based approach gained prominence in the 1990s-2000s, CSOs also shifted their focus from "service delivery to influencing policy." All the CSOs interviewed for this study play an active role in advocacy for SDGs, especially to incorporate the 'leave no one behind agenda' in the SDG framework. These CSOs were also identified by virtue of being actively involved in civil society consultations in the post-2015 agenda at the national and international level<sup>19</sup>. CSOs like the *Wada Na Todo Abhiyan* (WNTA)<sup>20</sup>, Public Advocacy Initiatives for Rights and Values in India (PAIRVI), Oxfam India and Center for Budget and Governance Accountability are also involved in advocacy research and have produced various reports regarding SDGs in India. That said, most of them also work actively with smaller organizations in service delivery. The field research also revealed that the grassroots CSOs working specifically on issues like gender or health were not fully aware of the 2030 Agenda.

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<sup>17</sup> The fourth chapter is based on some of these conversations but not all responses were included in the study due to ethical considerations.

<sup>18</sup> See the Oxfam Blog here <https://bit.ly/2rBxw7j>

<sup>19</sup> These CSOs were a part of the Asia Pacific Regional Civil Society Mechanism (APRCM)- a civil society platform that works towards ensuring that voices of all sub-regions of Asia Pacific are heard in intergovernmental processes at regional and global level. Initiated and driven by CSOs, the APRCM has been actively engaging with UN agencies for the 2030 Agenda.

<sup>20</sup> WNTA is a national campaign of over 3500 CSOs across India.

Moreover, their limited capacity and lack of resources didn't allow them to collaborate with the government in filing data gaps and were thus not approached for an interview.

### **3.3 Limitations of the Research**

The researcher encountered two main limitations which have been discussed below.

#### **3.3.1 The Researcher's Simplistic Understanding of Civil Society**

A limitation of this study stems from the researcher's rather simplistic understanding of civil society as the left leaning CSOs who have been traditionally seen as representing civil society in India. This reflects in the kind of CSOs who have been interviewed for this study. To be sure, the researcher only became aware of this bias<sup>21</sup> in due course of the field research. However, given the time constraints of field work, it was not possible to get appointments with right-wing CSOs who have a legitimate claim of being included in the broad spectrum of what constitutes civil society. In hindsight and for future research purposes, it would be interesting to interview these CSOs in analyzing national accountability mechanisms in India. That said, conducting research for this study has made the researcher aware of the dangers of homogenizing civil society and for that matter even the state.<sup>22</sup>

#### **3.3.2 Unavailability and Apprehensiveness of Respondents**

The research was conducted from 8 July-18 August, a time period which coincided with the HLPF event at the UN headquarters in New York held between 9 July-18 July. Thus, some bureaucrats from NITI Aayog who oversee SDGs in India as well as some CSO members who were attending the event could not be reached. Other than that, the interviewees from the central government were not very open about discussing the government's engagement with CSOs. While they gave detailed responses regarding the VNR process and creation of the National Indicator Framework to monitor SDGs, they dodged and vaguely answered some questions regarding exclusion of CSOs. The reasons for their apprehension to share information around the process, though revealed to the researcher, have not been cited for ethical reasons.

This chapter discussed the two main research methodologies used for the research. It also provided a brief overview of the background of the interviewees and the criteria used to select them for being interviewed to collect primary data. Here, the researcher also discussed the limitations of the research which have a considerable impact on the research findings.

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<sup>21</sup> This bias stems from the researcher's formal education which shaped her ideology and led her to equate civil society with people and organizations who are left of center. This understanding, rather bias, was further strengthened during her experience of working as a political journalist in India under the right-wing BJP government.

<sup>22</sup> Perils of reifying the state have been further discussed in chapter six while analyzing the research findings.

## Chapter 4

# Situating the Research Findings in India's Changing Planning Architecture and Political Sphere

It is important to understand the historical and political context of the interface between the state and CSOs before delving into the research findings. This chapter therefore provides an overview of the changing planning architecture as well as political sphere in India which has had a bearing on the engagement of CSOs, or the lack of them in some cases, with the Indian government on SDGs. The first section of the chapter provides a background to the first research question regarding challenges faced by the Indian government in reporting on SDGs, the second section corresponds to the second research question regarding the extent to which Indian CSOs have contributed to the reporting process.

## 4.1 Transition from Planning Commission to NITI Aayog

After India gained independence in 1947, the Planning Commission was constituted in 1950 to lead the country's development and economic growth. Borrowing from the Soviet-style model of planning and influenced by Nehruvian<sup>23</sup> socialism, the commission conceived a top-down approach to planning and was responsible for policy formulation, resource allocation and preparation of Five-Year Plans (FYPs)<sup>24</sup> and Annual Plans. However, over the years, in the era of a liberalized economy, it was felt by many policy analysts that centralised planning was becoming redundant. After the 16<sup>th</sup> Indian general election in 2014, the Bharatiya Janata Party (BJP) government led by Prime Minister Modi was sworn in. This government introduced many changes in the planning and budgetary processes in the country including the abolition of the Planning Commission in 2015. The commission was replaced by a new institution- NITI Aayog (National Institute for Transforming India). With a bottom-up approach to planning and development, the NITI Aayog was set up to work as the policy think tank of the government.

While the transition from the planning commission to the NITI Aayog altered the planning architecture of India, it has also had implications on the government-CSO engagement in the country. Khan and Samy (2017) contrast the space given to CSOs by the erstwhile Planning Commission with the exclusion of CSOs in the NITI Aayog's functioning. Referring to the 11<sup>th</sup> and 12<sup>th</sup> Five Year Plan period<sup>25</sup>, they say that there was a conscious effort by the central government to "design and implement socially inclusive policies" (Khan and Samy 2017:174). They recount that while preparing FYPs, the Planning Commission would invite experts from civil society to join the Working Groups and Steering Committees but "there has been limited engagement with external stakeholders in the case of NITI Aayog" (Khan and Samy 2017:174). Speaking of their interactions with the Planning Commission, CSOs interviewed for this study also said that their engagement with the government was better during the Planning Commission days (interviews C01, C02, C03, C04 AND C08). They also stress on the need for the NITI Aayog to strengthen its collaborations with them (interview C04 and C02). Sharing his experience, one respondent said:

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<sup>23</sup> Jawaharlal Nehru was India's first Prime Minister.

<sup>24</sup> Drafted by the Planning Commission, the first FYP was launched in 1951 and India has launched 12 FYPs so far. With the dissolution of the Planning Commission, the FYPs have also been discontinued with the 12th FYP being the last.

<sup>25</sup> From 2007-2012 and 2012 to 2017.



Before 2014 we were able to walk into the Planning Commission and our voices were heard but with the new government there is no such space. We had an active collaboration with the Planning Commission during the time of MDGs. The positive experience during the MDGs is also the reason why CSOs were so active during the formation of the SDGs. Little did we know CSO participation and involvement will become so limited in the coming time (interview C01).

Another interviewee also spoke about CSOs now being at the receiving end with no space for giving policy inputs which has reduced them to a “service delivery mechanism” (interview C08). She said:

Formalized and institutionalized spaces for civil society are closing very fast and there is an increasing trend of inviting civil society to select meetings by NITI Aayog. It is a charitable approach. The planning commission had instituted spaces for civil society in its structure with people being nominated from different CSOs to give more representation to us. The current trend is worrisome where CSOs have no idea about what is happening in these meetings (interview C08).

## 4.2 Changing Political Sphere in India

Often described as the largest democracy in the world, India has had a tradition of an active and diverse civil society since the country's independence in 1947. However, recent times have witnessed an alarming trend of shrinking spaces for civil society in India. Kode and Jacob (2017) along with other social and political activists trace this development back to 2014 when the right-wing BJP government was elected to power. Though previous governments have also tried to control civic space in India- especially in the 1970s when a national emergency was imposed in the country- the crackdown on civil society by the BJP government is particularly worrying. Patra and Behar (2015)<sup>26</sup> argue that while over the years Indian civil society has claimed its space in the political sphere by addressing issues of democratic and governance deficits but in recent times it has found itself being pushed to the edges by the government. The shrinking civil society space in India is further highlighted by the CIVICUS Monitor-an online platform that tracks civic space in 196 countries- which categorises India as having “an obstructed civic space” (Kode and Jacob 2017:1). This category indicates “that power holders contest civic space, undermine CSOs and constrain the fundamental civil society rights of association, peaceful assembly and expression” (Kode and Jacob 2017:1).

A major concern for CSOs has been the Foreign Contributions Regulations Act 2010 (FCRA) which was amended by the new government in December 2015. The amendments increased the reporting requirements for CSOs and made it compulsory for all registration applications to be made online. Kode and Jacob (2017:1) argue that the government has used tactics including “restrictive legislation” like the FCRA under which CSOs have been denied the right to register while others have faced suspensions or withdrawals of permits to operate<sup>27</sup>. Targeting their funding and resources, the government has also stopped the external funding of certain CSOs, thus financially crippling them and impeding their work. In

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<sup>26</sup> <https://bit.ly/36XDrDN>

<sup>27</sup> In one of the many cases, in October 2016, the Ministry of Home Affairs (MHA) refused to renew the registration of the Centre for the Promotion of Social Concerns, a registered charitable trust that has operated in India for 35 years. When asked by the Delhi High Court to justify its decision, the MHA said that the organization had provided information to UN special rapporteurs and foreign embassies that portrayed India's human rights record in a negative light.

response to the government's crackdown, an open letter-signed by 170 CSOs-was written to the Prime Minister in June 2015 demanding an urgent revocation of punitive actions against civil society on "vague, subjective and flimsy" grounds (PTI 2015)<sup>28</sup>. Also taking cognizance of the situation were three UN Special Rapporteurs who called on the Indian government to repeal FCRA in June 2016. The Rapporteurs said they were alarmed that the FCRA's provisions were being increasingly used to "silence organisations involved in advocating civil, political, economic, social, environmental or cultural priorities, which may differ from those backed by the Government" (OHCHR 2016). However, the Indian government did not oblige. Here it becomes important to see such legislations in the larger context of the given domestic polity in a country. In this case, the BJP government can get away by stating that a sovereign government has every right to protect itself from foreign interference (Sriskandarahaj 2015).

Given the clamp down on the civic space, CSOs have adopted a non-confrontational approach to engage with the government. CSO interviewees (interviews C01, C02, C08 and G05) said that they had to tone down their criticism of the government in order to continue functioning. One interviewee said that "the attitude of the government has led bigger CSOs which published hard hitting reports to mellow down their reports as they fear coming in the government's radar where their FCRA can be questioned" (interview G05). Though the respondent clarified that the NITI Aayog is not directly involved in such kind of surveillance, but there are "other government bodies which do not accept critical reports of CSOs" (interview G05). However, the respondent did not clarify which government bodies at the national level are closely watching CSOs.

### 4.2.3 Undermining legitimacy of CSOs

Chandhoke (2017)<sup>29</sup> identifies the shrinking civic space as a "sharp reversal in the political fortunes of CSOs" which illustrates that civil society does not exist independent of the state. Invoking Hegel who had suggested that the state is a precondition for the existence of civil society, Chandhoke (2004:150) argues that the autonomy of CSOs from the state is "an optical illusion." Civil society is constituted not just by the politics of protest but is also shaped by the politics of power (Chandhoke 2004:162). This gives the state the discretion and power to decide which CSOs it wants to recognize and engage with making it an indispensable agent. Their ideological leanings as well as proximity to the current regime thus become decisive factors in CSOs inclusion in monitoring SDGs. Amitabh Behar, the CEO of Oxfam India and one of the interviewees for this study explains the situation by differentiating between "us" i.e. the left leaning CSOs and "them" i.e. CSOs which are more right-wing (interview C04). The latter subscribe to the *Hindutva* ideology promoted by the *Rashtriya Swayamsevak Sangh (RSS)*<sup>30</sup> whose professed aim is to establish a Hindu nation based on its rejection of minorities having equal rights as Indian citizens. To be sure, the BJP is the political offspring of the RSS. Vijayan (2018:20) argues that the "conservative civil society has been aided and abetted by the rise to power of conservative political forces, and vice versa". Situating the current crackdown on CSOs in the changing political sphere of India, Amitabh Behar cautioned against concluding that all CSOs are facing exclusion by the government.

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<sup>28</sup> <https://bit.ly/36sHtDR>

<sup>29</sup> <https://bit.ly/2JlhEpH>

<sup>30</sup> Founded in 1925, the RSS has been banned thrice in post-independent India and is seen by Vijayan (2018: 19) as the first conservation organization to enter civil society space in India.

(interview C04). “We have to look at the nature of civil society. In India what we call the civil society is largely left of center-the liberal civil society. Academic lens demands that you need to start distinguishing between voices like mine (the liberal CSOs who got marginalized) over those who did get invited (the right-wing CSOs). Politically this is my worry that it is a different kind of civil society that is capturing civic space in India” (interview C04). Voicing similar concerns, another interviewee said that the line between CSOs and the state is increasingly blurring under the current regime (interview C02). He said, “now more right-wing CSOs like India Foundation and the Vivekanand Foundation are being roped in by the government. These organizations are less visible when it comes to the development work they have done as CSOs and lack the kind of work experience that other CSOs have. Everything has been centralized” (interview C02).

Revisiting the discussion on *legitimacy* in the second chapter, the research findings illustrate that while CSOs get legitimacy by representing the most marginalized, they also depend on state recognition to be deemed legitimate. Chandhoke (2017)<sup>31</sup> further opines that for CSOs to operate and fulfil their mandate, the state should “respect the politics of voice as opposed to the politics of vote”. Contrary to this vision, the current BJP regime is curbing dissent by left-leaning CSOs as the government has an absolute majority in the parliament which gives it unhindered power and legitimacy to legislate freely. What we see happening then is the marginalization of civil society and the subsequent sidelining of the rights-based approach to policy advocated by these CSOs. In the current scenario in India, when CSOs- who are not ideologically aligned with the government- criticise government policy they are often labelled ‘anti-development’ and ‘anti-national’. Therefore, the aggressive nationalism gaining its grip in India not only undermines the legitimacy of left leaning CSOs but also inhibits their ability to operate.

This chapter provided a background to analyse the research findings. The discussion on changes in the planning and political sphere in India is critical as it directs us to the multiple layers of politics and power which make state-CSO interaction complex. This discussion is also useful as it prevents us from homogenising civil society and subsequently generalising its experiences while engaging with the government.

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<sup>31</sup> <https://bit.ly/2JlhEpH>

## Chapter 5

### Analysing the Research Findings

This chapter has three sections and each section discusses the research findings for the three research questions: (a) challenges faced by the Indian government in reporting for SDG progress, (b) the extent to which CSOs have contributed to the reporting and (c) the tensions, if any, between the Indian government's upward accountability towards the UN HLPF and the national/downward accountability mechanisms towards CSOs.

#### 5.1 Indian Government's Reporting for SDG: The Process and its Challenges

As far as reporting progress on SDGs is concerned, till now the Indian government has released one report at the international level and one at the national level. The first is the VNR India presented at the HLPF in 2017 and second is the SDG India Index: Baseline Report released in 2018 which measures progress made at the national and sub-national level on a set of 62 priority indicators. However, both these reports, have come under criticism for paying lip service to the follow-up and review mechanism for SDGs (interviews C01, C02, C03, C04, C08). Referring to the 2017 VNR, a CSO interviewee said that the Indian government had used the international platform to blow their own trumpet as the review report was “a mere listing of government schemes in various sectors with no data to show progress” (interview C01). Similarly, the SDG India Index: Baseline Report, released a year later also suffers from limited data availability. The report intends to “provide a holistic view on the social, economic and environmental status of the country and its States and UTs<sup>32</sup>,” (NITI Aayog, n.d.). However, the index uses only 62 priority indicators<sup>33</sup> from 13 goals leaving out four SDGs (Goal 12, 13, 14 and 17) due to state-level data gaps (AP-RCM 2019: 41) while indicators referring to state-level schemes have not been included at all.

##### 5.1.1 Data Challenge

To be sure, the NITI Aayog has acknowledged the presence of a “data challenge” in both the reports that have been released. At the very beginning (page 5 of the 270-page long report) the SDG Index report states that although progress has been made in strengthening the statistical system, “this progress is uneven, and India continues to lack in uniform statistical systems. All 29 states and Union Territories use varied data monitoring systems” (SDG India Index 2018:5). This concern was reiterated by an SDG consultant in NITI Aayog who explained the government's data collection process for monitoring SDG:

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<sup>32</sup> India is a federal country and at the sub-national level it is divided into states and union territories (UT). A state is an independent administrative unit which has its own Legislative Assembly and separate government headed by a Chief Minister. A UT in administrative division which is controlled by the Central Government.

<sup>33</sup> So far MoSPI has finalized 306 National Indicators. However, NITI Aayog had to prioritize a few indicators (69 out of 306) on which state-wise data was available to initiate the process of monitoring progress for SDGs in India. To be fair to the NITI Aayog, all indicators cannot have equal weight and while some indicators may be more relevant in one state, they may not matter in another due to their different development trajectories.

Ministry of Statistics and Program Implementation (MoSPI) has its own system of data generation in the country. Mostly state government generated data is aggregated in the different ministries and is given to MoSPI. Some of the data is generated by MoSPI and some by Census of India<sup>34</sup>. In most cases the data is generated regularly but for some indicators we still rely on the Census as we have no parallel source of data till now. We use NSSO<sup>35</sup> data and in some cases, we use annual surveys while in other cases we use administrative data gathered during program implementation. About 30% of data is thus administrative data. This has the advantage of being regular, almost annual. But the problem is with their soundness [accuracy and verifiability]. MoSPI had issued guidelines to collect data for states but it remains a challenge (interview G03).

However, the challenge is not only limited to unavailability of data but the unavailability of disaggregated data<sup>36</sup>, the collection and monitoring of which is essential to achieve the leave no one behind agenda of the SDGs. Though the Indian government is aware of this data gap, a NITI Aayog official said that “the data is simply not available” (interview G03). Explaining these data gaps he said that “This [disaggregated data] is available up to the state level based on caste and sex. But data on minorities is available only in a few cases thought attempts are being made to collect it” (interview G03). The United Nations Secretary-General’s Independent Expert Advisory Group on a Data Revolution for Sustainable Development highlights the importance of disaggregated data in SDG monitoring. Its report says that to be useful, “data must be of high quality, at a level of disaggregation that is appropriate to the issue at hand” (IEGA 2014:15).

Another factor which has impacted monitoring has been the delay in finalizing the National Indicator Framework (NIF) by MoSPI. This framework consists of 306 indicators which will be the basis of monitoring SDGs in India. Work on these national-level indicators started in September 2016 but the union cabinet only approved the constitution of a High-Level Steering Committee for periodically reviewing the NIF in October 2018. Without indicators in place, the government did not have a criteria with which to measure progress and this reflected in India’s VNR in 2017. “The VNR was a country statement and as the statistical indicators had not been finalised in 2017 we did not include any data and we refrained from making any conclusions. Thus, it was a thematic analysis of India’s progress in SDGs” (interview G03), a NITI Aayog official explained.

When the NITI Aayog was formed, it envisioned a long-term National Development Agenda for India. This entails preparing a 15-year Vision Document (2017-18 to 2031-32) which also overlaps with the period to achieve the SDGs, a 7-year Strategy document (2017-18 to 2023-24) and a 3-year Action Agenda. The NITI Aayog released its Action Agenda in 2017 but the document has been criticised for not being aligned with the SDGs and for its limited focus on “implementation challenges, bureaucratic reforms and government citizen interaction” (Mehta 2017). Khan and Samy (2017: 185) also point out that “it is incomprehensible” that the Action Agenda was prepared without having the Vision and Strategy in place. They further add that “there is no longer an organic link” between national level planning institution like the NITI Aayog with sub-national-level institutions such as the State and District

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<sup>34</sup> Census is a pan-India data collection exercise which happens at an interval of 10 years. The last Census happened in 2011 where basic information of citizens is collected by the government.

<sup>35</sup> The National Sample Survey Office is an organization under MoSPI which conducts socio-economic surveys on subjects including employment, consumer expenditure, health, unemployment and medical services etc in India.

<sup>36</sup> Disaggregated data is data that has been broken down into sub-categories instead of providing a national average. For example, while measuring literacy levels disaggregated data would provide break down the data on literacy levels by gender, region, caste etc.

Planning Boards. The disconnect between the two level of government, especially with respect to the SDGs, will be discussed in the next section.

### 5.1.2 Challenges at Sub-national Level

A report published by the Asia-Pacific regional CSOs Engagement Mechanism's South and South-West Asia Working Group on the progress made towards achieving SDGs states that as far as sub national processes are concerned, "there is a complete lack of understanding on how to proceed" (AP-RCEM 2019:34). The report argues that though officially most sub-national governments have carried out a mapping exercise to align SDGs with concerned state departments and programmes, much of the work is still only on paper. The report further highlights the directionless way in which SDGs are being approached at the sub-national level citing the process adopted by states to prepare their respective 'Vision 2030' documents for SDGs. "Many of the states are in the process of preparing Vision 2030, but there is no information in the public domain on the process, purpose, participants etc" (AP-RCEM 2019: 38). According to the VNR that India presented at the HLPF in 2017, 12 out of the 29 Indian states have prepared these documents, however, only a handful have made their vision document public.<sup>37</sup>

NITI Aayog has organized consultations with States and Union Territories on implementation of SDGs with focus on structures for implementation, mapping of schemes and programmes, indicators and monitoring system, capacity development measures, innovations initiated, and challenges faced at various levels. However, much of the work still seems to be happening only on paper, and results on the ground are yet to be seen. One of the objectives of the NITI Aayog is to promote cooperative federalism by building partnerships with state governments, however, the institution is yet to fulfil this task. Khan and Samy (2017:178) point out that states have largely not been able to provide their inputs for preparing the National Vision, Strategy, and Action Agenda documents and argue that "in fact states should have prepared these documents before NITI Aayog starts working on the national documents."

On whether SDG consultation organized by NITI Aayog were collaborative, an advisor in the Planning Department of the Indian state of Himachal Pradesh said:

Not at all. There were two or three 2-day workshops organized in 2016 but they were less of a consultation and more of a unilateral dialogue by NITI. Our officers attended them in New Delhi, enjoyed the hospitality in and came back to the state. Officials in NITI Aayog are mostly travelling and we can only get in touch with consultants who are not fully aware of what is happening- even NITI Aayog isn't clear about its mandate on SDGs. How can there be accountability without participation? (interview G06)

Also, highlighting a lack of clarity over the SDGs among states, the interviewee said that apart from a few formal letters, there is barely any interface between states and central government (interview G06). He explained:

In the beginning NITI Aayog took the lead and started interacting with states and we even had consultations from MoSPI officials for designing state-level indicators<sup>38</sup>. But somewhere it stopped. We wrote e-mails and formal letters to NITI asking for initial guidance on SDGs but we got no acknowledgement, no response (interview G06).

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<sup>37</sup> These include the states of Andhra Pradesh, Assam, Punjab, Haryana, Jharkhand, Himachal Pradesh (AP-RCEM 2018: 38).

<sup>38</sup> Himachal Pradesh currently has 138 indicators designed specifically to measure state-level progress

However, despite the lack of guidance by NITI Aayog, some states have taken the task of internalising the SDGs in their own hands. Himachal Pradesh, for instance, has been incorporating SDGs in its state budget since the financial year 2017-2018. The state also organized trainings for select nodal officers from different line ministries to raise awareness about SDGs in the state government. Currently Himachal Pradesh has 40 master trainers (interview G06) in its state government. The proactiveness of the state in adopting the 2030 Agenda at the sub-national level also reflects in it getting the first rank<sup>39</sup> among Indian states with a score of 69 according to the SDG India Index Report released in 2018.

### 5.1.2 Parliament and SDGs

Para 45 of the 2030 Agenda Resolution 70/1 states, “we acknowledge also the essential role of national parliaments through their enactment of legislation and adoption of budgets and their role in ensuring accountability for the effective implementation of our commitments.” Keeping in line with the role envisioned for national parliaments in the SDG framework the Indian government launched the Speaker’s Research Initiative (SRI) on 23 July 2015, two months before the official adoption of the SDGs. Headed by the Speaker of the Lok Sabha, the Lower House of the Parliament of India, the SRI is an organ of the Lok Sabha that seeks to make law-making more effective and provide SDG-related insights to the Members of Parliament (MPs). The SRI has four main objectives of identifying core issues of policy significance, making critical knowledge and expertise available to lawmakers, linking MPs with knowledge sources and devising interactive and participatory mechanisms for knowledge sharing among MPs (Speaker’s Research Initiative: 2018)<sup>40</sup>. Since its inception, SRI has held 32 workshops, out of which only 4 have been on SDGs (Speaker’s Research Initiative: 2018). The first workshop was held in July 2015, followed by two workshops in August and December 2016 and the last was held in March 2017.

The initial enthusiasm over SDGs seems to have fizzled out and the SRI has not been able to contribute much to the SDG framework in India. To begin with, none of the MPs were informed of or participated in the 2017 VNR, while the half-day discussions on SDGs to be held during each session of the parliament are also not being conducted (AP-RCM 2019: 39). Commenting on the inaction of the parliament, one interviewee said that “the SRI has turned out to be an empty initiative as SDGs are not a priority for our parliamentarians” (interview C03).

The government has also failed to incorporate SDGs in the national budget presented annually in the parliament. An interviewee explained that “all national schemes are listed against SDG indicators and therefore, the budget allocated for those schemes becomes the budget of SDGs” (interview G03). He added that the Indian budget formulation is already a complicated process and making a separate SDG-oriented budget is a difficult task (interview G03). It is interesting to see some state governments doing better than the central government in internalizing the SDGs especially through budgetary processes.

In this section the researcher discussed the Indian government’s efforts in monitoring and reporting on SDGs and the challenges it faces in this process. The reports accounting for progress made on SDGs and the shortcomings of these reports have been highlighted while also discussing the challenge of data collection faced by the government which reflects in the content and quality of these reports. The findings also point to the low involvement of the

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<sup>39</sup> Himachal shares this position with Kerala.

<sup>40</sup> See more on SRI here <http://sri.nic.in/>



parliament in monitoring SDGs and the lack of communication and coordination between the national and sub-national level in monitoring and reporting for SDGs in India.

## 5.2 CSOs Engagement in National Accountability Processes

The CSOs interviewed for this research unequivocally raised the issue of exclusion from the SDG framework in India (interviews C01, C02, C03, C04, C08). Be it preparing for the 2017 VNR, participation in preparing the NIF, data collection for progress reports or other reporting and monitoring mechanisms, there is a feeling among CSOs that they are being excluded from key process and consultations regarding SDGs in India (ibid).

### 5.2.1 Exclusion from VNR, 2017

CSOs were told that inputs from their report would be used in the VNR report as a chapter but eventually their contribution “was reduced to a single line in the report” (interview C04). Recounting how the events unfolded, an interviewee explained:

Interestingly we were told [by NITI Aayog] to come on board do the review with them. After some time, they said ‘why don’t you do a review and we will incorporate those as CSO inputs in our report.’ Then they said our report will be put as a chapter, which changed to an annexure and eventually the final report only has a line mentioning that that CSOs are also involved in the reporting process (interview 04).

His inputs were confirmed by another researcher working for the CSO- *Wada Na Todo Abhiyan* (WNTA) (interview C01). Not only were CSOs left out of the VNR preparation process they were also not given an opportunity to be a part of the VNR presentation. The Indian government did not allow any comments or questions from the civil society once it had presented its VNR at the HLPF.

The report which the interviewees referred to above is ‘Sustainable Development Goals: A civil society report’ which was released on 6 July 2017 around the same time that India presented its VNR at the HLPF which was held between 10<sup>th</sup>-19<sup>th</sup> July in New York. This report was reviewed by the researcher based on how extensively and by what methods have the individual goals been reviewed. The report coordinated by WNTA<sup>41</sup> reviews the SDGs in India based on the principles of ‘Leave No one Behind’ and ‘A Life of Dignity for All’ as proposed by the SDG framework. The 132-page report has 10 sections and it reviews 10 goals (goal 1-6, 10, 11, 13, and 16) dedicating one section to each goal. Each section begins with an overview of the goal and over-arching concerns followed by addressing implementation gaps. The report then analyses where does India stand on each target of a goal, the challenges that lie ahead and ends with recommendations for the Indian government. It does so by referring to reports and studies, thematic reviews of existing policies, using data- both aggregated and disaggregated<sup>42</sup> and by also using case studies<sup>43</sup> where data is unavailable. The researcher also reviewed the VNR that India presented at the HLPF in 2017 based on the same evaluation criteria. The 41-page report focuses on goals 1,2,3,5,9,14 and 17 which were

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<sup>41</sup> WNTA is a national campaign of over 3500 CSOs across India focused on Governance Accountability to hold the government accountable for its promise to end Poverty, Social Exclusion & Discrimination.

<sup>42</sup> For example, the report uses disaggregated data based on caste and religion to show social inequality and intersectionality while reviewing goal 5 on reducing inequality (WNTA 2017: 53).

<sup>43</sup> While reviewing goal 11 on making cities inclusive, safe, resilient and sustainable, a case study of the Indian state of Andhra Pradesh has been used to contrast the field reports from government’s claim of declaring the state Open Defecation Free (WNTA 2017: 65).



agreed upon as focus areas for the 2017 HLPF. It also dedicates a section each to report progress for each of the seven goals. However, the difference lies in the way the goals have been reviewed. The report mainly relies on a thematic analysis by listing and briefly discussing government schemes related to each goal. Use of data is minimum while disaggregated has not been used at all. For instance, the section on goal 5- gender equality- lists various schemes launched by the government at the national and sub-national level with little discussion on progress made. It mentions how the Chief Minister's bicycle initiative for the girl child has led to a "substantial decrease" decrease in dropout rate of girls from school but does not quantify the progress (VNR 2017: 19). Their report also has negligible discussion on the implementation gaps and challenges for SDGs in India.

That said, people working with the National Foundation for India (NFI)<sup>44</sup> and UN office in India caution against using the 2017 VNR as the only criteria to evaluate the Indian government's reporting for SDGs and its engagement with CSOs for the same (interview G04, G05). The relative newness of the adoption of SDGs and formation of NITI Aayog, both in 2015, have been cited as reasons for the government's under preparedness for the VNR 2017 and the subsequent lack of interaction with CSOs (interview G05). Explaining the argument further a former employee of NFI who currently works at UN Resident Coordinator's Office, India, said "When the government decided to present its VNR in 2017 the implementation and monitoring strategies for SDGs were still being framed, indicators to measure progress had not been finalized and there was no defined path for CSO engagement" (interview G05). She admits that there was a hesitation on the part of the government to engage with CSOs but disagrees that the exclusion was systematic (interview G05). She further suggests that "To establish if CSOs are being marginalized one should wait for the VNR in 2020 for which the government is much better prepared and draw a comparison with the situation in 2017" (interview G05). Here we revisit the discussion on spaces of power to analyse whether the dynamic nature of these spaces would mean a possibility of CSOs getting involved in the next VNR.

### 5.2.2 Spaces of Power

The *spaces of power* for this study have been identified as virtual and physical spaces based on the field research conducted by the researcher. Virtual spaces exist where CSOs were asked to give feedback on the National Indicator Framework (NIF) which was put online on MoSPI's website to get civil society feedback. Physical spaces refer to the consultations on SDGs which were held by NITI Aayog at the national level in New Delhi where left leaning CSOs were either not invited or their inputs weren't considered when they were invited. Narrating her experience of attending one such national consultation, one interviewee working with Tata Trusts<sup>45</sup> said, "CSOs were invited but the gesture was tokenistic. It was a one-way conversation by NITI Aayog without considering civil society feedback" (interview C08). "Moreover, CSOs who were part of the post 2015 process since the very beginning were kept out of the process," she added (C08).

Describing the changing nature of these spaces, Gaventa (2005:10) says that these spaces are "constantly opening and closing through struggles for legitimacy and resistance, co-optation and transformation". Therefore, it is possible that closed spaces might open and get transformed into invited spaces. While the government promises more avenues and opportunities for collaboration for the VNR to be presented in 2020, civil society remains doubtful. With

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<sup>44</sup> The National Foundation for India is an independent, grant-making and fundraising body which has been active in the 2030 Agenda process by holding consultations with NITI Aayog and MoSPI.

<sup>45</sup> She was a part of a campaign to influence SDGs from a Global South perspective in the post-2015 Agenda

less than a year to go for the presentation at the HLPF, a formal space hasn't been created to facilitate interaction between the two (interview C08, C01). Talking about his scepticism over the government and CSO collaboration to work on SDGs, Javed A. Khan, a Senior Research Officer at the Centre for Budget and Governance Accountability said:

We need to see what space has been created for CSOs to participate and then we will know if the 2020 VNR will be any different from 2017. If that is not being done, then there will be no difference in the process of the two VNRs in terms of CSO participation. Giving feedback on a website for indicators does count as participation but is very different from an institutional mechanism to engage with CSOs (interview C02).

CSOs are cautious of taking the government's claims of improved collaboration on face value and argue, "Politicians do not govern, bureaucrats do. Thus, when we elect a new government, they already have people who are experienced in governance and in engaging with CSOs. Therefore, there is no question of being underprepared in 2017 in terms of CSO engagement" (interview C01). CSOs also question the government's claim of being more inclusive for the 2020 VNR as with less than a year left for the presentation they haven't been asked to come on board. "There is no communication [from the government] so far and no one knows of such a consultation for 2020 in our CSO network" (interview C01, C08).

### 5.2.3 CSOs Potential Role in Bridging Data Gaps

CSOs have expressed concern at the government's reporting to monitor SDGs and they say it portrays an incorrect picture of the progress made as it keeps the 'leave no one behind agenda' out of the reporting methodology (interview C01). That said, CSOs have offered to work with the government and collect data at the micro level to make monitoring and reporting more robust, but they argue that the government is not too keen on engaging with them to bridge these data gaps (interviews C01, C02, C08). Methodological soundness, regularity and accuracy of data collected are some of the reasons given by the government to rely on its own data sources and not use data collected by CSOs (interviews G02, G03). "We have a wide-ranging data system overseen by the Ministry of Statistics and Programme Implementation. We use government data to be consistent with our reporting. Different CSOs collect different data and their methodology can vary so we cannot really depend on them for data" (interview G02, G03).

On their part, CSOs feel that the problem is less about their methodology and accuracy in data collection and more about the unwillingness of the government to use field-level data showing harsh ground realities (interview C08).

I don't agree that CSOs are ill-equipped. Of course, you cannot expect the smaller ones [CSOs] to do a survey or sample collection. But the remarks about CSO methodology being questionable is only there because they [government] are not even agreeing on the basic premise of the research question or objectives. Thus, they conveniently debunk the data presented by CSOs. Even the data collected by line ministries is susceptible to fudging [by the government] as it is ultimately compiled in excel sheets to which changes can be made (interview C08).

Arguing in favour of anecdotal evidence<sup>46</sup> collected by CSOs to be considered by the government, she said that "it is essentially about documenting the ground reality and this can even be done in the form of case studies collected by CSOs if the government finds their

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<sup>46</sup> Anecdotal Evidence here refers to qualitative data collected in the form of case studies to capture people's experiences

[CSOs] data problematic” (interview C08). An example of CSOs collecting data to monitor SDGs is WNTA’s ‘100 Hotspots: Excluded Communities and SDGs in India’ report<sup>47</sup> which uses quantitative data, focused group discussions and observations to report 1000 households from 10 marginalized population groups across 10 states in India using a set of SDG indicators. capturing the. The report was released in June 2019 and it advocates for the ‘leave no one behind agenda’ by capturing the vulnerability of some of the most neglected communities in India.<sup>48</sup>

### 5.2.3.1 Use of Data as Policy-based evidence in SDGs

A report prepared by the Independent Expert Advisory Group (IEAG) on Data Revolution for Sustainable Development<sup>49</sup> in 2014 encourages CSOs to hold governments accountable using data as evidence. This argument is also reflected in Weiss’s (1991) paper on *policy research as data, ideas and arguments* discussed in the second chapter. Weiss (1991: 41) opines that research as data is most influential when there is a consensus on goals and using research as ideas is useful in the early stages of policy discussions. Both apply to the SDGs as there is a consensus on the 17 goals and governments are still in initial stages of framing national accountability mechanisms for reporting progress. Situating Weiss’s work in the broader field of evidence in policy, the research findings illustrate that both the government and CSOs use policy-based evidence rather than evidence-based policy for SDGs. However, while CSOs employ data to hold the government accountable for its policies, the government relies on ideas as evidence. Focusing on ideas (what to measure, how to measure and why it is justified) over data gives the government more flexibility to deal with situations where conflict and uncertainty is high. The different approaches adopted by the two actors, while interesting to pursue, is best left for future research given both, the limited scope of the study as well as the newness of this field of research.

That said, some officials in NITI Aayog seems open to the idea of collaborating with CSOs to bridge data gaps (interview G03). “We cannot expect CSOs to get consistent quantitative data but case studies are welcome to draw attention to issues at local levels which can be much worse than reflected in the national average. We will look at the report [The 100 Hotspots report] and see how it can be addressed and incorporated in our VNR for 2020” (interview G03). The willingness of some government officials to engage with CSOs takes us to the next section of this research question where we discuss the perils of homogenising state-elected politicians and unelected officials- as being against collaboration with CSOs to account for SDGs.

### 5.2.4 Perils of Reifying the State

While CSOs interviewed for this research have spoken about exclusion from various SDG-related consultations held by the government, they have also spoken of occasions where the government has invited them to provide inputs for pertinent policy issues (interview C03, C04). Narrating his experience of working with the central government, a respondent cautioned against homogenizing the state for its engagement with CSOs. “There are multiple layers to it. For example, the Ministry of External Affairs is not comfortable taking our inputs while Ministry of women and child development or Health, Welfare and Family Planning

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<sup>47</sup> The report can be accessed here <https://bit.ly/2X9SJ3T>

<sup>48</sup> Based on the methodologies developed in this pilot report, WNTA plans to expand the research and study 50,000 households during the period of the 2030 Agenda.

<sup>49</sup> Discussed in Chapter 2.

have become more open to our feedback” (interview C04). CSOs have also had a similar experience with the draft National Education Policy, 2019 for which, unlike the SDGs, the government has actively invited CSOs from across the country to provide inputs (interview C04). Spotting a similar trend in NITI Aayog’s engagement with CSOs one interviewee pointed out that the exclusion of CSOs from various consultations can also be personality driven and added that “while there are certain people in NITI Aayog and MoSPI who are not concerned with roping in CSOs, others in the same institutions are eager to get civil society inputs” (interview G04).

Consultants are hired on a project basis and they maybe more interested in preparing and submitting the report they were tasked with rather than ensuring engagement with CSOs for inputs. The commodification of development expertise argues Hindman (2011:171) has alienated the experts from their projects. Bergh and Biekart (2016) while studying the scope for transformative action by development workers argue that while consultants might be implicitly contributing to processes of change, it may not be “central to their motivation” (2018: 80). The researcher spotted a similar trend while conducting the research. The government rushed with compiling the VNR for 2017 and the task was assigned to officials in NITI Aayog who were already under pressure to finish the report with little idea of how to do it (interview G04). The researcher also found that some government officials felt a bit disconnected from the SDG implementation and monitoring process as they were not privy to meetings held and decisions made before they were hired or before they were asked to work on SDGs by the concerned institution/ministry. This invariably affected their current role and while they acknowledged data gaps in reporting on SDGs and admitted to the importance of roping in CSOs, they felt constrained by their position in ensuring the same.<sup>50</sup>

The findings for the second research question reveal limited engagement between the government and CSOs and the exclusion of the latter from the process of preparing for the VNR as well as framing the NIF. The researcher also discusses the potential role that CSOs can play in bridging data gaps to account for SDGs in India and mentions a few reports that have been prepared by CSOs using SDG indicators to monitor the goals which strengthen civil society’s claim to be a part of the reporting process. That said, the research findings also caution against drawing generalized conclusions on the exclusion of CSOs by the government as both the state and civil society are not homogenous actors.

### **5.3 Tensions between Indian Government’s Upward and Downward Accountability**

Unlike the previous research findings for the first two research questions where the researcher found a clear divide between the responses of the Indian government officials and CSOs interviewed, findings for the third research question reflect contrasting perceptions of India’s upward and downward accountability. For some the Indian government privileges accountability to the UN over downward accountability (interview C01), others feel that there is no tension as they view accountability as multi-focal and not linear (interview G03), for some respondents the government is more serious about downward accountability (interview G05) while for the rest (interviews C03, C04 and C08 ) the weak follow-up and review system of the UN has led to no accountability at either level. These findings have been further discussed to address the third research question.

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<sup>50</sup> Based on the researcher’s informal conversations with interviewees who did not wish to be identified for these comments.

### 5.3.1 Upward Accountability driven by reputational concerns

Revisiting Keohane's (2003) conceptualization of *external accountability*, we infer that India's upward accountability to the UN mostly stems from reputational concerns based on the leadership role India had assumed in the consultations leading to the adoption of the SDGs. This view was endorsed by a Programme Specialist at UN Resident Coordinator's Office, India, who attributes "the rather rushed VNR in 2017 to a sense of ownership of the SDGs felt by the Indian government" (interview G05). She explained that India had been at the helm of consultations in the post 2015 agenda representing concerns of the Global South and that "The move [of presenting a VNR] came as a shock as it was too soon but we realised that it was more of a prestige statement than a VNR for India" (interview G05).

Seconding her opinion, a NITI Aayog official said that while it is not mandatory, presenting VNRs at the High-Level Political Forum remains a way for countries to get international recognition (interview G03). He further explained that "Every country is expected to do it [VNR] twice in the entire period [till 2030] or they can do it every year also. The reporting relation between UN and member states is not binding but is based on a good will system. Countries also get international recognition at VNRs so no country would want to default by not reporting" (interview G03). This stance is also reflected in the opening statement of India's VNR presented in 2017 which states "As the fastest growing major economy of the world, today, India is uniquely placed to deliver on its commitments to inclusive and sustainable development. Externally the country has played a key role in shaping the SDGs and ensuring the balance among its three pillars - economic, social and environmental".<sup>51</sup>

Research findings also reveal that India postures its upward accountability and reporting to the UN as a process which fosters mutual learning between states (interview G03, G04). This relates to Karlsson-Vinkhuyzen et al.'s (2017) argument of having *facilitative accountability*<sup>52</sup> for international agreements like the SDGs as it impacts the reputation of nations positively, but also encourages learning from good practices.

This concern for its international reputation has led some CSOs to believe that the Indian government privileges reporting to the UN more than being accountable to them (interview C01). However, another interviewee, a government official at the sub-national level, had a different understanding of downward accountability and said that accountability is not always about performance data but should also reflect through engagements and collaboration with the government which he didn't see happening (interview G06). He further added that downward accountability is difficult to achieve "unless there is a strong institutional framework which keeps a check on the government and has disincentives for non-compliance, however, this is not a possibility in a political system like India's" (interview G06).

### 5.3.2 Ambiguous accountability as no accountability

The vagueness of accountability mechanisms at the national level as discussed in the first chapter, gives the Indian government the leverage to interpret the follow-up and review process. For instance, an interviewee at NITI Aayog said that there is no privileging of upward accountability over downward accountability or vice-versa as accountability in the SDGs "accountability is not linear but multi-focal and multi-directional" (interview G03). He explained:

As a national institution we [NITI Aayog] are responsible for reporting to the UN but we don't have a binding review with CSOs. We get invited to their [CSOs] events on SDGs and we also invite them for ours. All the consultations become part of our

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<sup>51</sup> The report can be viewed here <https://bit.ly/371yud9>

<sup>52</sup> See Chapter 2

reporting to the UN. So, there is no tension, rather it [accountability mechanisms] is complementary” (interview G03).

This interpretation of accountability relates to the discussion on SDGs as a *soft law instrument* which allows the government to shirk responsibilities of reporting on SDG progress as non-compliance does not lead to formal sanctions. For some CSOs, the voluntary nature of SDGs has manifested in no accountability at any level of governance (interviews C03, C04, C08). One interviewee from a CSO said that “accountability is immaterial for the [Indian] government” (interview C03) while another called the SDGs “a feel-good ambition” as according to him “UN conventions like these [SDGs] are not taken seriously by the Indian government unless they are ratified” (interview C04). Explaining the problems with the reporting process at the international and national level, a CSO interviewee said:

“There is not much sanctity to the VNR presentations as countries will not increase their reporting burden and expecting them to do so is optimistic not realistic. The HLPF is just a sharing mechanism rather than a review mechanism which countries use as a beauty pageant to showcase what they have done best or better than the others. At the national level the BJP government doesn’t care about downward accountability given its absolute majority in the parliament as well as the ill-defined national accountability mechanisms (interview C03).

The opinion of negligible accountability at both levels was reiterated by another interviewee from a CSO who said:

In my opinion India doesn’t feel the need to be held accountable by the UN as to their minds they felt that it (UN) has very limited purpose and should stick to it without interfering in India’s sovereignty. Even now if the government presents any data, the UN system cannot really censure them, especially if it comes with this aggression of sovereignty. Similarly, downward accountability has a very thin framework which can be easily torn apart. Especially in terms of how much they [the government] really want to involve CSOs (interview C08).

The diversity of responses makes it difficult to draw a conclusion for this research question and state that the Indian government is privileging upward accountability over downward accountability or vice-versa. The research findings direct us to the different perceptions that the Indian government, CSOs and UN have regarding the trade-offs between these two conceptions of. The differing perceptions stem from the vague follow-up and review system which makes accountability processes open to interpretation by actors involved in the 2030 Agenda.

## Chapter 6

### Conclusion

This research paper set out with the objective of analyzing the Indian government's experience in involving CSOs to account for progress on the SDGs. A conceptual framework was designed building on the concepts of *soft law*, *legitimacy*, *accountability* and *power* and was used to show linkages between three key actors- state, civil society and the UN- in the accountability regime. Based on primary data and secondary data collected for the research, this framework was then used to analyze the research findings and address the three research questions- (a) challenges faced by the Indian government in reporting for SDG progress, (b) the extent to which CSOs have contributed to the reporting and, (c) the tensions, if any, between the Indian government's upward accountability towards the UN HLPF and the national/downward accountability mechanisms towards CSOs.

Findings for the first research questions reveal data challenges faced by the Indian government which is also reflected in the content and quality of the two reports it has released so far to account for SDG progress at the UN (VNR 2017) and national level (SDG Index 2018). The findings also point to a low interest and involvement of the parliament regarding SDGs and a lack of coordination and communication between the national and sub-national level in monitoring and reporting for SDGs in India. As far as the second research question is concerned, findings illustrate the potential role CSOs can play in bridging data gaps for monitoring SDGs in India. That said, their engagement and collaboration with the government remains limited given the shrinking space for civil society under the current regime. However, the findings caution us from homogenizing the experiences of CSOs given the rather broad definition of civil society. Findings for the last research question capture differing perceptions of the Indian government's upward and downward accountability for reporting on SDGs. A concern for its reputation based on a leadership role India wants to envisage in the global governance arena is the basis of India's reporting to the UN which makes it privilege upward over downward accountability. However, findings also direct us to a popular view among respondents for the research that the vague follow-up and review system has led to no accountability at all at either level of governance.

A well-designed and clearly defined follow-up and review system is critical for ensuring accountability; however, it is difficult to achieve this given the voluntary nature of the reviews. Therefore, the success of the 2030 Agenda will largely depend on how well member states implement and monitor SDGs at the national level as even though these goals have universal relevance, they are cannot be achieved without national commitments of member states. The research illustrates that the voluntary nature of accounting for progress made on the 17 goals is based on SDGs being a soft law instrument and trickles down discursively to the national level in two ways. First, the Indian government's understanding and interpretation of the accountability mechanism as being "multi-focal" and second, the government's reliance on the poly-centric governance model of the SDGs to evade responsibility regarding accountability. The findings thus direct us to a high capacity but low commitment and political will of the Indian government to engage with CSOs.<sup>53</sup> The findings also point to a high commitment

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<sup>53</sup> That said, this interaction is limited in reference to the left leaning CSOs and cannot be generalized as other (right-wing) CSOs were not interviewed for this research.

and low political capacity<sup>54</sup> of CSOs in holding the government accountable for progress on SDGs. Therefore, the weaknesses of the accountability processes in India can partly be attributed to the ambiguous follow-up and review system at the global level and the limited interaction between two institutional spheres- political and civil society- at the national level. That said, it is important to read the research findings in light of the changing planning architecture and political sphere of India as well as the heterogenous nature of the state and civil society. This prevents us from drawing generalized conclusions for this study

Based on the research there are four recommendations for making the accountability mechanism more robust in India. First, the central government should establish a high-level committee to monitor SDGs and constitute a formal space to engage with CSOs. Second, the Indian parliament should take up a more active role in monitoring the SDGs. Third, NITI Aayog should communicate more with state governments and guide them with internalizing SDGs. Lastly, the government should actively collaborate with CSOs to bridge existing data gaps and use CSOs' research while preparing for India's Voluntary National Review as well as to improve implementation and monitoring of SDGs in the country.

The strength of this study is based on the fact that instead of analyzing accountability from a purely administrative lens-which runs the risk of assuming that the relation between the accountor and accountee is apolitical- it analyses accountability by situating it in a political space of contestation where the relation between the actors and their subsequent actions are governed by power. In addition to this, the diversity of actors (national and sub-national government, UN and CSOs) interviewed for this research brings out the complexities of the SDG accountability regime and serves the purpose of this research i.e. to problematize the accountability mechanisms in the SDGs. On the other hand, the research suffers from limitations in terms of scope, time and access, as well as the researcher's simplistic understanding of civil society. This opens space for further research on this topic. What will be interesting is to conduct a research after India presents its VNR in July 2020 and compare the report as well as the process that lead to the report with the VNR presented in 2017. Interviewing more government officials as well as right-wing CSOs will also give more depth to the research and will help us understand the intricacies of state-civil society engagement and its impact on accountability mechanisms in the SDGs at the national level.

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<sup>54</sup> Based on their ideological differences with the current government.



## Appendices

### Appendix 1 List of Interviewees

No.	Title	Date of Interview	Place of Interview	Code
1	Official in United Nations Economic and Social Division, Ministry of External Affairs (MEA)	15.07.2019	New Delhi	G01
2	Akhilesh Kumar, Joint director, Social Statistics Division, Ministry of Statistics and Planning Implementation (MoSPI)	24.07.2019	New Delhi	G02
3	Sundar Mishra, SDG Consultant, NITI Aayog	19.07.2019	New Delhi	G03
4	Meenakshi Kathel, Programme Coordination Specialist UN Resident Coordinator's Office, India	25.07.2019	New Delhi	G04
5	Official at UN Resident Coordinator's Office, India	22.07.2019	New Delhi	G05
6	Basu Sood, Advisor, Planning Department, Himachal Pradesh, India	16.08.2019	Shimla, Himachal Pradesh	G06
7	Kumar Rajesh, Research Coordinator, Wada na Todo Abhiyan (WNTA)	12.07.2019	New Delhi	C01
8	Jawed Alam Khan, Senior Research Officer, Centre for Budget and Governance Accountability (CBGA)	16.07.2019	New Delhi	C02
9	Ajay K. Jha, Director, Public Advocacy Initiatives for Rights and Values in India (PAIRVI)	24.07.2019	New Delhi	C03
10	Amitabh Behar, Chief Executive Officer, Oxfam India	30.07.2019	New Delhi	C04
11	Ranja Sengupta, Third World Network	25.07.2019	New Delhi	C05
12	Tomojit Basu, Research Coordinator, Oxfam India	20.07.2019	New Delhi	C06
13	Sunita Malhotra, Communications Head, The World Bank, India	23.07.2019	New Delhi	C07
14	Pooja Parvathi, Policy and Advocacy team, Tata Trust	29.07.2019	New Delhi	C08

15	Ranu Bhogal, Director, Policy, Research and Cam- paigns, Oxfam India	1.08.2019	New Delhi	C09
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