Leveraging Human Rights Mechanisms to Improve SDG Follow-up and Review

Birgitte Feiring and Saionara König-Reis
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The adoption of the 2030 Agenda for Sustainable Development was the culmination of a multi-stakeholder process that was unique in length, complexity and inclusiveness. It resulted in a universal roadmap for change that in many ways renewed commitment to the promotion and protection of human rights. The synergies between the Sustainable Development Goals (SDGs) and human rights frameworks should be drawn upon when considering ways to improve the global follow-up and review of the 2030 Agenda.

This paper explains how human rights principles underpin the Agenda, why a human rights-based approach is necessary in its implementation, and how global and national human rights mechanisms could be leveraged to strengthen SDG monitoring and review at the High-level Political Forum (HLPF).

The links between SDGs and human rights

The 2030 Agenda explicitly references the Universal Declaration of Human Rights and international human rights treaties throughout its text, and it is informed by other instruments such as the Declaration on the Right to Development. In addition, the Agenda draws from the human rights principles of participation, transparency and accountability, and the pledges to leave no one behind and reach the furthest behind first echo the principles of equality and non-discrimination. When analysing the human rights anchorage of each SDG and its corresponding targets, it becomes evident that the 2030 Agenda and human rights are intertwined and inextricably tied together.

The Danish Institute for Human Rights (DIHR) has identified that more than 90% of the 169 targets of the SDGs are directly linked to human rights instruments and labour standards, as well as to key environmental agreements (see Box 1). This demonstrates how the 2030 Agenda actually builds on standing commitments made by the United Nations (UN) Member States throughout the history of the organisation. Thus, integrated approaches to realising these interwoven frameworks have clear benefits, such as enhancing prioritisation, coherence, efficiency, participation and inclusion, as well as accountability.

The systematic application of a human rights-based approach to SDG programming, implementation, monitoring and review can bring substantial benefits to these processes. In essence, legally binding human rights treaties offer guidance to SDG planning and implementation, and human rights mechanisms offer experiences and recommendations of inclusiveness and accountability to SDG monitoring and review.

Box 1
The Human Rights Guide to the SDGs

The Human Rights Guide to the SDGs identifies the linkages between the SDGs and universal human rights, labour standards and key environmental instruments. The Guide allows for tailored research related to the instruments applicable to a specific country, and is therefore an essential tool to:

- Understand the links between country-specific human rights obligations and the SDGs; and
- Develop a human rights-based approach to sustainable development programming, implementation, reporting and monitoring.

Visit the Guide at http://sdg.humanrights.dk/
Human rights-based approach to sustainable development processes
Experience has shown that development initiatives that disregard respect for human rights principles can actually do harm. It can, for example, increase inequality between cities and rural areas, between men and women, and between the rich and the poor. It can also accelerate damage to the environment, which often results in pushing more people into poverty. Likewise, without participation, development often fails to achieve the expected results. Therefore, a human rights-based approach (HRBA) requires a fundamental shift in the mission of development: it requires that development initiatives build on all the relevant human rights frameworks and reinforce states’ legally binding obligation to respect, fulfil and protect their human rights commitments.

As stated in the 2030 Agenda, the ultimate goal of the SDGs is ‘to realise the human rights of all’. To fulfil this ambition, SDG implementation, follow-up and review must observe a HRBA, which includes:

- Being guided by human rights standards and principles, as enshrined in international and regional human rights instruments, as well as build on human rights monitoring mechanisms;

- Identifying the structural causes of discrimination and inequality that are keeping some people marginalised and excluded, and use specific tools to redress discriminatory practices and ensure no one is left behind; and

- Developing the capacity of duty bearers to meet their obligation to fulfil, protect and respect (capacity for accountability); and of rights-holders to know of, claim, and seek remedy for their rights (capacity for empowerment).

HLPF under review
According to the 2030 Agenda, countries are expected to perform regular follow-up and review of the SDGs through ‘inclusive, participatory and transparent’ processes, in a manner that ‘support[s] reporting by all relevant stakeholders’. When adopting this global plan of action, countries agreed that sustainable development can only be achieved ‘with the participation of all countries, all stakeholders and all people’. They also committed to ‘build on existing platforms and processes’ to avoid duplication and ‘minimize the reporting burden on national administrations’.

At the global level, the main hub for SDG follow-up and review is the High-level Political Forum, which convenes a range of national, regional and international actors with the purpose of tracking global progress, providing political leadership and guidance, and addressing emerging issues. The 2020 HLPF marks the beginning of the second cycle of SDG follow-up and review, and its format and modalities for engagement are undergoing negotiations between Member States at the time of writing.

In September 2019, during the SDG Summit convened in New York, Member States demonstrated commitment to strengthen the HLPF by pledging in its Political Declaration ‘to carry out an ambitious and effective review of the format and organizational aspects of the high-level political forum and follow-up and review of the 2030 Agenda’.

Among the proposals to strengthen the SDG follow-up and review, there is a call to better connect UN processes, including to leverage lessons, experiences and knowledge from the human rights system as a means to increase coherence and accountability, and improve stakeholder engagement. In comparison to the HLPF, the human rights system has higher standards of accountabilities through its specialised supervisory bodies, for the reasons outlined below.

Flawed inclusion and participation at the HLPF affects accountability for the SDG
The current modus operandi of the HLPF does not leave room for a meaningful and participatory review of the SDGs, particularly on countries’ progress. For example, when it comes to the Voluntary National Reviews (VNRs), there are no formal requirements for the reports or mechanism for systematised recommendations or following up on progress made between one reporting cycle and the next. Additionally, opportunities for non-governmental actors to present their findings during the VNR presentations are limited and depend on government’s voluntary inclination to offer them space. Further, Members States and stakeholders have limited time to comment on countries’ presentations, and there is no formal outcome from those dialogues, at least not on a country-specific basis.

Likewise, the Ministerial Declaration adopted by Member States at the end of each HLPF is negotiated in advance to the Forum, which means that the outcome document of the main global review platform for the SDGs lacks reflections around the variety of issues and perspectives which emerges during the HLPF discussions and in the presentation of countries’ VNRs. Finally, country-specific stakeholders reports are not included as official part of the examination of a given country.
Box 2
What are National Human Rights Institutions (NHRIs) and how do they contribute to the SDGs?

NHRIs are independent state institutions responsible for ensuring national compliance with international human rights commitments. Due to the evident synergies between SDGs and human rights, NHRIs have become crucial elements of the institutional architecture necessary for the realisation of the 2030 Agenda.

In fact, the existence of an independent NHRI is the indicator for strong institutions in the SDG global indicator framework (16.a.1) but there is no official mechanism for NHRI participation in the SDG follow-up and review process, including during the HLPF.

Where NHRIs are engaged, they add tremendous value to joined-up SDGs and human rights programming and monitoring. They also contribute to dialogue between state and civil society and offer critical resources to increase efficiency and coherence between human rights and sustainable development processes. In addition, due to the nature of their work, NHRIs are indispensable partners in ensuring no one is left behind while accelerating progress for all SDGs.

For example, the Chilean NHRI, in partnership with the Danish Institute for Human Rights, is taking an active role in building the bridge between human rights and SDG14 (‘Life Below Water’) to ensure a human rights-based approach to the sustainable development of fisheries and aquaculture sectors. The NHRI is engaging with global seafood companies, small-scale fishers, governments, UN agencies and development organisations to document the human rights impact and implications in this field. This assessment will be the basis for a series of activities led by the NHRI, which includes national and global dialogues, training of other NHRIs, and the promotion of policies and strategies for sustainable development and responsible business conduct.

The human rights system is stepping up to increase SDG accountability

Acknowledging that the 2030 Agenda is a human rights-based agenda, the UN Human Rights Council in Resolution 37/24 decided to organise in 2019 two intersessional meetings for dialogue and cooperation on human rights and the 2030 Agenda. The outcomes of these meeting illustrate the synergies between the two agendas and provide inspiration for actions that will help to achieve the SDGs and realise human rights in an integrated manner. Among other things, these meetings called for greater engagement of NHRIs as SDG implementers and data providers (See Box 2). They also illustrated how the Guiding Principles on Business and Human Rights can be the foundation for partnerships with business for the SDGs, and they discussed examples of countries that are building on the synergies between human rights and SDGs for national implementation, such as Burkina Faso, Paraguay and Thailand.

Further, many civil society organisations and NHRIs alike have referenced the SDGs in their parallel or shadow reporting to international and regional human rights bodies with a view to ensuring that these bodies are able to examine the application of states’ human rights obligations and their impact in the SDG context (see Box 3 on the following page). This emerging practice can serve to foster understanding of the mutually reinforcing connection between human rights and the SDGs, and the value of pursuing joint follow-up. It is also creating a positive spill-over in the operation of human rights monitoring bodies themselves.

It is worth highlighting that the updated Secretary-General’s (SG) voluntary common reporting guidelines for VNRs (last updated in November 2019) is pushing for a more participatory and human rights-based approach to the review process. The Guidelines suggest that countries add stakeholders’ contributions to their reports, and that they ‘send other reports to DESA for posting on their national page in the VNR database, including complementary reports by stakeholders’. Such reports could include for example civil society reports (spotlight or shadow reports) and reports from National Human Rights Institutions (NHRIs), which due to their unique mandate to monitor the implementation of human rights in the country are already monitoring the SDGs. In fact, engaging human rights institutions in SDG processes has been highlighted by UN resolutions as well as the SG Guidelines for VNRs as a key step towards increased efficiency, reduced reporting burden, and improved coherence between sustainable development and human rights commitments.
According to a recent study conducted by Steven L. B. Jensen of the Danish Institute for Human Rights, the key UN human rights monitoring bodies are increasingly referencing the SDGs in their recommendations. This practice demonstrates that human rights monitoring mechanisms consider the 2030 Agenda as an opportunity to further realise human rights of all. At the same time, it reaffirms the value of human rights monitoring mechanisms as one of the most promising data sources for monitoring and guiding SDG implementation.

Inspirations and aspirations for the HLPF: Experiences from the UN Human Rights Monitoring Mechanisms

The Universal Periodic Review, the UN Treaty Bodies and the Special Procedures are the three main UN human rights monitoring mechanism. With distinct but complementary mandates, these bodies conduct thorough and individualised examinations of states’ human rights obligations and produce recommendations to guide states’ compliance. Considering the high degree of convergence between human rights and the SDGs, these recommendations constitute a wealth of information that is relevant to review SDG implementation at country level. In addition, each of these bodies, in their own way, exercise a pertinent degree of participation and inclusion in their proceedings that can serve as inspiration to the HLPF (see Box 4 on the next page).

There are critical differences between the HLPF and the UN human rights monitoring bodies. Not least, the human rights bodies monitor legally binding obligations, which arguably calls for a higher standard of accountability, while the HLPF reviews progress on states’ political commitments towards the global sustainable development agenda. The strong political nature of the 2030 Agenda and the historic levels of participation that brought the SDGs to life should in itself speak loudly for the need for strong accountability and participation in its review processes (including at the HLPF). However, in the absence of a global consensus on strengthening multilateral systems, understanding the intrinsic relationship between SDGs and human rights can improve opportunities for SDG accountability. Some of the obvious steps to leverage existing monitoring mechanisms is to build on the monitoring mandate of NHRIs, to highlight SDG links in their work and to utilise the human rights monitoring mechanisms as an avenue to also review progress on the SDGs.
Leveraging human rights monitoring mechanism for SDG follow-up and review

Leveraging human rights monitoring and reporting mechanisms will reduce the reporting burden on states and will contribute to SDG follow-up and review by providing:

• Systematised qualitative analysis and data through institutionalised reporting mechanisms by states, UN bodies, NHRIs, and civil society;

• Identification of specific and systemic implementation challenges, as well as recommendations and guidance to address them adequately;

• Identification of societal groups most at risk of being left behind and concrete measures to abolish discrimination and promote equality, including through legal reforms;

• Best practices on systematic engagement of stakeholders in monitoring, reporting and follow up, guided by the HRBA principles of accountability, transparency and access to information;

• Expertise on developing national monitoring systems that are aligned with global standards, and best practice on peer review mechanisms, expert and thematic reviews.

In fact, states are increasingly picking up on the benefits of integrated reporting on human rights and SDGs. Back in 2016, when countries were presenting their first VNRs on the SDGs, only 1 of the 22 countries reporting made reference to one or more of the main UN Human Rights monitoring mechanisms. This number has steadily increased since then, and in 2019 there were 11 VNRs (out of the 47 delivered) making reference to the UPR, Special Procedures and/or Treaty Bodies (see Figure 1 on the next page).

Through making actionable recommendations on states’ human rights obligations, human rights bodies are a critical source of guidance for SDG reporting and implementation. For example, in the UPR of 2017, Sweden recommended that Argentina ‘take immediate and concrete steps to rectify the deficiencies in Argentinian prisons, detention centres and police stations, such as overcrowding, poor access to health services, insufficient food, bad ventilation, precarious sanitary conditions and squalor’. As a result of that session, Argentina has committed (accepted) to taking this recommendation forward by using their discretionary right to accept (or not) the recommendation from its peer.
Recommendations accepted by states typically trigger an institutional set-up for follow-up at the national level, often coordinated through the so-called National Mechanisms for Reporting and Follow up (NMRF). The NMRFs are governmental structures responsible for effective reporting, coordination and implementation of human rights obligations and recommendations. These structures come to life from states’ needs to provide adequate reporting and follow-up to a growing number of human rights commitments and increased engagement with the international and regional human rights bodies.

With a view to increasing coherence between the human rights and sustainable development processes, OHCHR is advising NMRFs to build synergies with national SDG coordination mechanisms and to engage the SDG focal point Agency or Ministry in its workplans. There is a clear benefit of aligning the work of these bodies more closely to boost efficiency and reduce duplication, including for reporting purposes. Resources that are freed up in the process can be used, for example to improve stakeholder engagement in monitoring processes, hence enhancing accountability.

The Samoa NMRF and the New Zealand NHRI jointly developed the open source software Impact OSS to improve states’ and civil society’s ability to implement, monitor, analyse and communicate about states’ human rights obligations and the SDGs commitments.

Paraguay also offers a good example of integrated monitoring: SIMORE, which has been lauded as a successful prototype of a human rights follow-up database, was recently expanded to SIMORE Plus, which integrates follow-up to the SDGs. These initiatives encourage transparency, accountability and knowledge sharing between national human rights and SDGs actors, and assist states with coordinating and monitoring both.

**National data partnerships leading the way for inclusive SDG monitoring**

Despite its weaknesses, the HLPF is an important stage to showcase the work developed at the national level, to exchange experiences and good practices between countries (including on VNR preparations), and to measure overall progress of SDG achievement. While progress on inclusion and participation at the global level remains slow, country initiatives are leading the way towards more inclusive monitoring practices, and the NHRI is stepping up to contribute with these efforts.

In Kenya, for example, the National Statistics Office has a sustaining partnership with the NHRI to apply a human rights-based approach to data collection, disaggregation, dissemination and analysis, particularly on issues related to SDG16 (‘Peace, Justice and Strong Institutions’) and the leave no one behind pledge. The partnership with the NHRI and the engagement of rights-holders in the process has led to improved identification of vulnerable population groups and resulted in the first time that persons with albinism have been included in the national census.

In Denmark, acknowledging the impossibility of covering all ground needed to monitor the SDGs in the country by itself, the National Statistics Office has adopted a collaborative approach and regularly convenes a broad range of stakeholders (including the NHRI, NGOs and rights-holder groups) to contribute with data and new perspectives on SDG monitoring. Among other things, the NHRI contributes with methodology for data collection and data on persons.

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Figure 1: Number of VNRs referring to each Human Rights monitoring mechanism

Source: The Danish Institute for Human Rights
Making the HLPF More Inclusive

with disabilities, which plays an invaluable role in the pledge to leave no one behind.

Additionally, stakeholders such as NGOs and rights-holder groups are leading on partnerships for citizen-generated data at country level, with the potential to influence SDG monitoring, policies and programs. Some examples include the Voluntary Peoples Review of SDGs in Nepal\(^{30}\), the Youth-led Monitoring of the Sustainable Development Goals being piloted in India\(^{31}\), and the LNOB Partnerships in India, Nepal, Bangladesh, Kenya and Vietnam\(^{32}\).

These experiences need to be elevated to forums such as the HLPF and translated into more inclusive and participatory review practices at the global level.

Building operational synergies between SDGs and human rights

Taking inspiration from human rights mechanisms, there are some practical ways to overcome the artificial boundaries that separate SDGs and human rights, including for monitoring and reporting purposes. If opportunities and resources are made available, the human rights system can add great value to the follow-up and review exercise of the HLPF.

For example, following the model of the UPR, the OHCHR could compile country-specific reports relevant to SDG implementation from a human rights perspective, including recommendations from UPR, Treaty Bodies, and Special Procedures. Likewise, NHRIs and civil society can provide information on the general human rights situation; on unequal progress and the situation of those furthest behind; as well as on procedural aspects of national consultations, including transparency and stakeholder participation.

The VNR presented by the United Kingdom in 2019\(^{33}\) brings good examples. It refers to the state’s legal human rights obligations eg on the right to food when reporting on SDG2 (‘Zero Hunger’); and it draws from data and information produced by the Equality and Human Rights Commission (one of the three UK NHRIs, which covers England and Wales) when reporting on inequality. The Scottish Human Rights Commission has also engaged with the preparations of the VNR and the development of the monitoring framework for the SDGs in Scotland.

Beyond the Voluntary National Review, the HLPF can also draw on human rights monitoring for its thematic reviews. For example, the Treaty Bodies and

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Figure 2: Distribution of Human Rights recommendations linked to the SDGs

The graph includes recommendations from Treaty Bodies, the UPR and Special Procedures.

![Bar graph showing distribution of Human Rights recommendations linked to the SDGs](image)
thematic Special Procedures can add valuable input to the stock-taking of progress towards specific SDGs with their vast source of technical guidance (General Comments)\textsuperscript{34}, reports and recommendations on a wide range of subjects. (Figure 2, for example, illustrates the resourceful amount of human rights recommendations that are relevant to the corresponding SDGs.) In turn, the HLPF can support the realisation of human rights through the 2030 Agenda by addressing human rights-relevant transversal themes in its debate, which also includes some less obvious human rights-SDG connections, such as the topic of public procurement (SDG 12.7)\textsuperscript{35}. A human rights perspective in the HLPF debates can furthermore contribute to the review of the Means of Implementation by addressing safeguards for development finance, private sector accountability\textsuperscript{36}, and related issues.

By linking up the SDGs, which are non-binding in nature, with international human rights and labour standards, which are binding, and by using the data and information that is easily available through existing tools (such as the Data Explorer and the Human Rights Guide to the SDGs), one can ensure that SDG implementation increases the respect, protection and fulfilment of human rights, and can also add a dimension of accountability to the HLPF.

The SDG wheel with a blue dove in the center is often used as a symbol to reflect the interface between the 2030 Agenda and Human Rights. The dove is the international human rights logo and in combination with the SDG wheel it represents the aspiration to have the human rights-based approach at the heart of sustainable development processes.
Endnotes


2 For practical guidance, a free introductory course on the HRBA to development is available at: https://www.humanrights.dk/learning-hub/introduction-human-rights-based-approach

3 A/RES/70/1, para 74 (d)

4 A/RES/70/1, Preamble

5 A/RES/70/1, para 35

6 A/RES/74/4, para 27 (j)


8 UN DESA produced a ‘Synthesis of the Voluntary National Reviews’ from 2016, 2017 and 2018, which gives a good overview but not a country-specific analysis or recommendations.

9 As an exception, in 2019 the HLPF did not adopt a Ministerial Declaration. Instead, the Declaration was adopted at the SDG Summit, held under the auspices of the General Assembly in September 2019.

10 Find it here: https://sustainabledevelopment.un.org/content/documents/17346Updated_Voluntary_Guidelines.pdf


12 All documents related to the 1st HRC intersessional meeting on human rights and the SDGs (January 2019) can be found here: https://www.ohchr.org/EN/HRBodies/HRC/Pages/IntersessionalMeeting2030Agenda.aspx

13 All documents related to the 2nd HRC intersessional meeting on human rights and the SDGs (December 2019) can be found here: https://www.ohchr.org/EN/HRBodies/HRC/Pages/Second-IntersessionalMeeting2030Agenda.aspx


17 Learn more about the UPR: https://www.ohchr.org/en/hrbodies/upr/pages/uprmain.aspx

18 Learn more about the Treaty Bodies: https://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx


20 Methodology note: the search was done with a trained algorithm. It used the terms ‘Universal Periodic Review’, ‘Special Rapporteur’, and the names of each Treaty Body. When reading the chart, please be aware that some VNRs refer to more than one mechanism. Between 2016 and 2019, a total of 24 VNRs have referenced one or more human rights monitoring mechanisms.

21 A/HRC/37/5: https://undocs.org/A/HRC/37/5

22 See an example of the proceedings and official documents considered by the UPR, related to Denmark: https://www.ohchr.org/EN/HRBodies/UPR/Pages/DKindex.aspx

23 See core International Human Rights Treaties: https://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreTreaties.aspx


25 Learn more about NMRF: https://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf

26 National Mechanisms for Reporting and Follow-up (NMRF) – Key capacities and UN support to strengthen them, OHCHR: https://www.ohchr.org/Documents/HRBodies/UPR/NMRF_Follow-up.pdf

27 Read more at ‘Integrated review and reporting on SDGs and Human Rights: a key to effective, efficient and accountable implementation’, DIHR, 2019: https://www.humanrights.dk/publications/integrated-review-reporting-sdgs-human-rights-key-effective-efficient-accountable

28 For more information, see: https://impactoss.org/

29 A detailed description of Paraguay’s joint follow-up to human rights and the SDGs can be found in its 2018 VNR report: https://sustainabledevelopment.un.org/content/documents/198771VNR_OFDS_PY_2018_book_Final.pdf

30 Read more: https://ayon.org/2020/02/02/voluntary-peoples-review-of-sdgs-in-nepal-vpr-2020/

31 Read more: https://mgiep.unesco.org/youth-led-monitoring

32 Read more: https://icscentre.org/our-work/leave-no-one-behind/


34 See all General Comments from Human Rights Treaty Bodies: https://www.ohchr.org/EN/HRBodies/UPR/Pages/TBGeneralComments.aspx


36 See tool ‘Sustainable Development through Human Rights Due Diligence’, which links business and human rights to the SDGs: https://biz.sdg.humanrights.dk/
Making the HLPF More Inclusive – a Paper Series

Stakeholder engagement and inclusion of those left furthest behind are key principles of the 2030 Agenda. The follow-up and review of its implementation is supposed to be ‘open, inclusive, participatory and transparent’, ‘support the reporting by all relevant stakeholders’ and ‘be people-centred, gender-sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind’; (paragraph 74, A/RES/70/1).

The annual High-level Political Forum (HLPF) is the United Nation’s main platform for follow-up and review of the 2030 Agenda and its Sustainable Development Goals (SDGs). In 2019, we saw the completion of the first four-year cycle of HLPFs, leading to the first review of the modalities of the forum itself in 2020. These modalities include two resolutions codifying the structure and operational rules that govern HLPF, as well as the thematic focus for each year of a cycle. The review also provides an opportunity to discuss improvements of guidelines and practices that are not regulated by resolutions but still have an impact on the HLPF’s form and function.

This paper series aims to contribute with reflections on how the HLPF process can become more inclusive of a broad range of stakeholders and more purposefully focused on the implementation of the principle of leaving no one behind.

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