

SDG indicator 16.3.3 at a glance: Access to Dispute Resolution Mechanisms



Rationale

This indicator measures access to justice in relation to issues that – while not being of criminal nature – occur very frequently in daily life, such as disputes in relation to labour, land tenure, injuries, commercial transactions among others. With its focus on the accessibility of civil justice institutions and mechanisms (both formal and informal), indicator 16.3.3 is an important complement to the two other indicators under target 16.3 that assess the criminal justice system, respectively in relation to victims of violence (SDG indicator 16.3.1) and unsentenced detainees (SDG indicator 16.3.2). Indicator 16.3.3 also provides important information about the main reasons why some people are excluded from the process of obtaining justice.

Data sources and measurement

This is a survey-based indicator that emphasizes citizens' experiences over general perceptions.

Data is to be collected through official, nationally representative household surveys.

Four sets of standardised survey questions are used to measure the number of persons who experienced a dispute during the past two years who accessed a formal or informal dispute resolution mechanism, as a percentage of all those who experienced a dispute in the past two years, by type of mechanism.

Recommended disaggregation

Disaggregation of this indicator is recommended along the following levels:

- Type of dispute mechanism
- Sex
- Disability status
- Ethnicity
- Migration background
- Citizenship

Disaggregation by type of dispute resolution mechanism is of fundamental importance to assess the type of justice institutions and mechanisms available for citizens.

Methodological issues to keep in mind:

- While the concept of 'dispute' (justiciable problem) is subject to different interpretations, this indicator focuses on a number of categories that have broad applicability across countries, such as problems or disputes related to land, family issues, employment and government payments and services, to name a few.
- Survey questions must take into account all relevant dispute resolution mechanisms generally recognized in the community, may they be formal, such as the courts or the police, or informal, such as customary law mechanisms managed by traditional or religious leaders.
- Increasing the survey's reference period (> 2 years) can help increase the share of the population having experienced a dispute, thus improving the statistical significance of results.
- The denominator of the indicator should be defined as those who 'demand' dispute resolution mechanisms, namely those who use dispute resolution mechanisms (users) and those who, despite demanding them, do not have access to them (involuntarily excluded). The denominator therefore excludes those who experience disputes and do not turn to dispute resolution mechanisms because they do not need them (voluntarily self-excluded).

For the full metadata, visit: <https://unstats.un.org/sdgs/metadata/files/Metadata-16-03-03.pdf>

For assistance, contact sdg16indicators@undp.org

Co-custodian agencies: UNDP, UNODC and OECD