

SDG 9: INDUSTRY, INNOVATION AND INFRASTRUCTURE



A LEGAL GUIDE

This Legal Guide to the Sustainable Development Goals (SDGs) is published by Advocates for International Development (A4ID).

Disclaimer

The information contained within this guide is correct at the date of publication.

Acknowledgements

We would like to thank Chandni Brown for her contributions in the development of this Guide.

Publishing information

July 2026

London, United Kingdom

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About A4ID

Advocates for International Development (A4ID) was founded in 2006 to see the law and lawyers play their full part in the global eradication of poverty. Today, A4ID is the leading international charity that channels legal expertise globally toward the achievement of the UN Sustainable Development Goals. Through A4ID, the world's top lawyers are able to offer high-quality, free legal support to NGOs, social enterprises, community-based organisations, and developing country governments that are working to advance human dignity, equality, and justice. A4ID also operates as a knowledge and resource hub, exploring how the law can be better used to help achieve the SDGs through a range of courses, publications, and events.



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Foreword



The SDG Legal Initiative

There are now less than six years left to realise the achievement of the UN Sustainable Development Goals (SDGs). Aware of the challenge, Advocates for International Development (A4ID) has been continuing its innovative work towards meeting these targets by harnessing the power of the law and the work of lawyers. A4ID's SDG Legal Initiative has been developed because it is now more important than ever that the global legal community comes together to use their skills to advance positive global change.

The SDG Legal Initiative is a call to action to the global legal profession to work towards the achievement of the SDG Agenda and we have until 2030 to do so. By sharing knowledge and providing opportunities to take practical action to end poverty, protect the planet, and ensure that all people enjoy peace and prosperity, A4ID will continue its work with the legal sector to enhance this impact. The SDG Legal Initiative aims to create communities of practice, and to amplify the role of the legal sector in achieving the SDGs.

Legal Guide to the SDGs

As part of its SDG Legal Initiative, A4ID has developed the world's first Legal Guide to the SDGs. The Legal Guide has been developed as a unique resource. It provides a foundational analysis of the role that law can and should play in the achievement of the SDGs. Developed in collaboration with lawyers, academics, and development practitioners, the Guide is made up of 17 distinct chapters, each focussed on one of the 17 goals. Each chapter provides an overview of the relevant regional, national, and international legal frameworks, highlighting how the law can be applied to promote the implementation of the SDGs. The Guide also offers key insights into the legal challenges and opportunities that lawyers may encounter. It presents clear examples of the actions that lawyers can take to help achieve each goal.

Role of law in improving Industry, Innovation and Infrastructure

The importance of technology and innovation has become increasingly apparent in building back better after the COVID-19 pandemic and doing so in a manner that overcomes the binary between the economy and the environment. Environmentally sustainable means of production, as embodied by the SDGs, can pave the way for new and improved industries and infrastructures, better able to accommodate today's generation and those still yet to come.

However, today's global infrastructure gap remains in the trillions, with many developing countries around the world still lacking the infrastructure to provide access to

basic services and amenities. This lack of infrastructure not only prevents industry growth but undermines domestic resilience to external shocks and threatens the foundational tenet of the SDG Agenda to ensure no-one gets left behind.

For developed nations, investment in infrastructure is also needed as efforts to upgrade and retrofit existing systems remains key to securing more efficient and greener solutions. All the while, the whole world is keen to bolster digital connectivity in an effort to maximise on the benefits that new disruptive technologies, such as Artificial Intelligence (AI) can bring. Indeed if AI teaches us anything, it is that industry and infrastructure does not stand still - innovation breeds transformation, and only with effective management of the resulting transitions, can we ensure that new innovations help us drive towards a more sustainable, inclusive and resilient tomorrow.

It is in this space that lawyers are key. Innovation requires a delicate balance of proactive policies, permissive laws and incentives; along with legal and regulatory safeguards that

guarantee predictability, transparency and accountability within commercial markets to invigorate healthy competition.

In order to create an environment conducive to new ideas and solutions - ones capable of building the future we want - the law is a bedrock upon which the industry relies to be able to take on greater risk and push imaginative boundaries for realising a healthier, happier and more sustainable world.

“Future strategies for poverty reduction need to be *economically empowered*... Inclusive and sustainable industrial development [can] harness the full potential of industry’s contribution to the achievement of sustainable development, and lasting prosperity for all. ” - Li Yong (UNIDO Past-Director General)

Yasmin Batliwala MBE

Chief Executive



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The Sustainable Development Goals

The UN Sustainable Development Goals (SDGs) are a universal call to action to end poverty, protect the planet, and ensure that all people can enjoy peace and prosperity.

Also known as the Agenda 2030, the SDGs were agreed in 2015 by the UN General Assembly (Resolution 70/1). They were adopted by all UN Member States, and 2030 was set as the deadline for achieving them.

Compared to the Millennium Development Goals (MDGs),



which they succeed, the SDGs cover more ground, with wider ambitions to address inequalities, climate change, economic growth, decent jobs, cities, industrialization, oceans, ecosystems, energy, sustainable consumption and production, peace, and justice. The SDGs are also universal, applying to all countries, whereas the MDGs had only been intended for action in developing countries.

The 17 interdependent goals are broken down into 169 targets. At the global level, progress is monitored and reviewed using a set of 232 indicators. The Addis Ababa Action Agenda provides concrete policies and actions to further support the implementation of the 2030 Agenda. Each year, the UN Secretary General also publishes a report documenting progress towards the targets. In addition, the annual meetings of the High-level Political Forum on Sustainable Development (HLPF) continues to play a central role in reviewing global progress towards the SDGs.

At the national level, even though the SDGs are not legally binding, governments are expected to implement country-led sustainable development strategies, including resource mobilisation and financing strategies, and to develop their own national indicators to assist in monitoring progress made on the goals and targets.

SDG 17 stresses the importance of multi-stakeholder partnerships to achieve the goals. The mobilisation of governments, local authorities, civil society, and the private sector is needed to achieve this aim. Today, progress is being made in many places, but, overall, action to meet the SDGs is not yet advancing at the speed or scale required. This decade must therefore deliver rapid and ambitious action to meet the SDGs by 2030.

Key terms

SDG 9: Build resilient infrastructure, promote inclusive and sustainable industrialisation, and foster innovation.

In the context of SDG 9, the following terms mean:

‘Resilience’: The UN Office for Disaster Risk Reduction, defines resilience as “the ability of a system, community, or society exposed to hazards to resist, absorb, accommodate, adapt to, transform, and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management.”¹

‘Infrastructure’: The Sustainable Infrastructure Imperative adopts a comprehensive definition of infrastructure extending to “both traditional types of infrastructure (everything from energy to public transport, buildings, water supply and sanitation) and, critically, also natural infrastructure (such as forest landscapes, wetlands and watershed protection).”²

‘Inclusive industrialisation’: Industrial development which includes all countries and all peoples, as well as the private sector, civil society organisations, and multinational development institutions, and offers equal opportunities and equitable distribution of the benefits of industrialisation to all stakeholders.³

‘Sustainable industrialisation’: Industrial development which addresses the need to separate the prosperity generated from industrial activities from excessive natural resource use and negative environmental impacts.⁴

‘Innovation’: UNESCO defines innovation as “the process of creating, improving, or implementing new ideas, methods, or products to solve problems or enhance efficiency. It drives progress in technology, business, and society by transforming concepts into practical solutions, fostering growth, competitiveness, and adaptation to changing needs and challenges.”⁵



Overview of the targets

Industrialisation has a massive impact on economic growth and job creation, and has been a core priority among national policymakers since the 2008 financial crisis.⁶ Inclusive and sustainable industrial development encourages sustained improvement to people's living standards, and can build overall resilience to all forms of shock: be it economic crises, climate related disasters, or global catastrophes such as COVID-19.

As part of the industrialisation process, manufacturing is positioned as an important global employer, and has been regarded an 'engine of growth' not only through direct income generation, but as a facilitator to other parts of the economy.⁷ However, due, *inter alia*, to tariff and trade tensions between the world's dominant economies, global manufacturing growth was in decline prior to the pandemic. Since then, global trade disruptions have continued, as geopolitical tensions lead to protectionist policies, and an increase in war and conflict fragments global value chains. These shifts have introduced significant levels of uncertainty into the world trade landscape.⁸

At the same time, rapid technological developments are revolutionising global trade and manufacture, injecting a swathe of new opportunities and room for innovation; though the future of what these changes may mean in practice is by no means guaranteed. It is projected that the market size of frontier technologies will grow sixfold by 2033 alone, yet their trajectory remains at the virtue of only a handful of technology companies from developed countries.⁹ Without adequate oversight and regulation, this surge in commercially led digitisation, including Artificial Intelligence (AI), robotics and green energy technologies, risks widening existing inequalities and creating new digital harms and ethical risks. To maximise on the potential of digital innovations to drive 'inclusive and sustainable industrialization' (as called for by SDG 9), UNCTAD

emphasises the need for *resilient* infrastructure, data and skills, alongside stronger digital governance systems.¹⁰

"The use of artificial intelligence has the potential to accelerate progress towards achieving the Sustainable Development Goals, but if unevenly distributed and not guided by ethical oversight and transparency, its diffusion can exacerbate existing inequalities." - Rebeca Grynspan (UNCTAD, Secretary-General)

Indeed, resilient infrastructure is a critical part of SDG 9 ambitions, moving beyond digital technologies to all aspects of social, economic, and political life. This extends from basic necessities such as the water we drink, the food we eat, and the energy we use, to the systems we operate in, such as our law and justice systems, public services, healthcare and banks, alongside the wider opportunities of access we are offered through things like education, telecommunications and mobility. As the Coalition for Disaster Resilient Infrastructure (CDRI) notes: "The provision of infrastructure remains one of the most visible and essential indicators of development."¹¹

However, there remains a sizable infrastructure gap in many parts of the world, exacerbated by today's polycrisis and the multitude of changes taking place, at speed and scale, at a geopolitical, digital and climate level. The question now, is not only how to address these gaps, but do so in a manner that is inclusive, sustainable and *resilient*.

The following breakdown of each target under SDG 9 provides an insight into the current global situation on industry, innovation, and infrastructure, and reveals the pressures and issues relevant to the achievement of each target.

TARGET 9.1



Develop quality, reliable, sustainable and resilient infrastructure, including regional and trans-border infrastructure, to support economic development and human well-being, with a focus on affordable and equitable access for all.

SDG 9.1 measures progress against infrastructure development, using two transport-related indicators, as ‘transport’ is commonly regarded as a precursor to achieving wider connectivity and economic development.

“Sustainable and resilient transport infrastructure systems are a prerequisite for successful trade and economic integration, as well as for attracting investment, developing enterprise and building productive capacities.” – UNCTAD (2016)

The first indicator used to measure progress against SDG 9.1 looks at the “proportion of the rural population who live within 2 km of an all-season road.” This metric brings the necessary focus on affordable and equitable access to infrastructure for all. The Rural Access Index, maintained by the World Bank (the custodian agency for indicator 9.1.1), compares data from 25 mostly developing countries for progress against this indicator. According to latest findings,

“Resilience begins with governance.” – Krishna Vatsa (CDRI, 2025)

the index found that almost 300 million out of 520 million rural dwellers still lacked good access to roads in 2018-2019.¹² While a useful starting point, this indicator is severely limited by data availability and completeness, subjective definitions on what counts as ‘rural’ or ‘all-season’, and inconsistencies in data collection methodology.¹³

The second indicator under SDG 9.1 measures passenger and freight volume by rail, road, and air. Data against this indicator has been far more successful at tracking larger developmental trends in infrastructure, trade and economics.

For example, data collected over recent years demonstrates a shift among developing countries from being primarily export-driven with a focus on raw materials, to becoming major importers and exporters of goods and products.¹⁴ At the same time, changes in trade patterns are also made visible, such as the rise in intra-Asian trade, with China and India ranked as the first and second top maritime importers in 2023.¹⁵ Positively, despite major setbacks in the last decade (including the financial crisis, and restricted movement of goods due to COVID-19, wars and conflict), maritime freight volumes continue to evolve and expand, demonstrating industry resilience notwithstanding trade uncertainties.¹⁶

However, moving beyond these two indicators, there is still much to be done. Recent figures show that developing countries currently face a \$4.3 trillion SDG financing gap predominantly in the context of infrastructure, while the global infrastructure gap is projected to rise to \$15+ trillion by 2040.¹⁷ Achieving SDG 9.1 therefore requires greater

efforts to scale up available financing and investment beyond just transportation, leading to several calls for improvement that are of direct relevance to the legal sector. This includes recommendations put forth by UNCTAD to:

- 1). Improve legal and regulatory frameworks, ensuring clarity and predictability in an effort to attract international infrastructure investment.
- 2). Reform international investment agreements to provide flexibility in the context of growing uncertainty and shifting policy and regulatory approaches.
- 3). Design clear and effective dispute-prevention mechanisms to minimise risk, given the litigious and often costly nature of large-scale infrastructure investments.
- 4). Ensure contracts are transparent (to secure public trust) and well balanced to account for public and private interests.

5). Strengthen overall governance and due diligence processes within infrastructure building projects, and

6). Mobilise alternative financing models, such as blended finance structures, to diversify investment.¹⁸



TARGET 9-2



Promote inclusive and sustainable industrialisation and, by 2030, significantly raise industry's share of employment and gross domestic product, in line with national circumstances, and double its share in least developed countries.

Manufacturing value added (MVA) per capita, i.e. the relative value of net manufacturing output to the population size, is used to measure a country's level of industrialisation.¹⁹ MVA per capita, as noted above, is highly irregular worldwide. For example, while Central and Southern Asia experienced a 42.1% growth in MVA per capita between 2015 and 2024, Sub-Saharan Africa, Latin America and the Caribbean, Australia and New Zealand all saw declines in the same period.²⁰ Positively Least Developed Countries (LDCs) witnessed a 40.6% rise in

this period, but are still at risk of failing to meet the target set under SDG 9.2 to double their share by 2030.²¹

To boost further growth in these countries, investment and technological assistance will be critical for increasing the manufacturing industry's share of national GDP – developments that should, in turn, lead to greater employment opportunities and economic growth (driving progress under SDG 8 as well as SDG 9).

However, the role of the manufacturing sector as a global employer has been on a relative decline in both developing and developed regions, falling from 14.3% of global employment in 2015 to 14.2% in 2024. While a reduction of 0.1% globally is not substantial, for some regions, such as Australia and New Zealand, this decline has been as great as 1.9%.²²

TARGET 9-3

Increase the access of small -scale industrial and other enterprises, in particular in developing countries, to financial services, including affordable credit, and their integration into value chains and markets.

Access to financial services allows small-scale enterprises to grow and expand. Balancing the need for regulation of financial institutions with the promotion of lending and risk-taking is critical. Microfinance can be a way to bridge the gap for much needed support of small-scale businesses in developing countries.

In the field of disruptive technologies, the role of small-scale enterprises is especially key, as first mover advantage has seen large tech giants dominate the market to date. At present, 100 companies worldwide account for over 40% of investment in research and development, creating monopolies over the future of innovation.²³ However, small-scale enterprises are also key drivers of innovation. Equipped with the necessary finance and resources, these organisations are often better positioned to respond to local needs, drive

community growth, and do so in a manner that is inclusive and more evenly able to distribute wealth. Micro-, small, and medium-sized enterprises are also key to building economic resilience, ensuring that industry and markets are better diversified, while accounting for 90% of all businesses, up to 70% of all jobs and 50% of gross domestic product (GDP).²⁴

With regards to SDG 9.3, progress is measured by the proportion of small-scale industries in total industry value added, as well as the proportion of small-scale industries with a loan or line of credit.

Unsurprisingly however, small-scale enterprises were the most vulnerable to the economic shocks of COVID-19 and continue to be significantly challenged by rising uncertainties in the current geopolitical climate, facing various trade disruptions, rising costs and regulatory constraints. While 62% of small businesses in Australia and New Zealand enjoy access to credit and financial services, this figure drops significantly in regions such as Sub-Saharan Africa and Eastern and South-Eastern Asia where only 18% and 19% of small businesses respectively, enjoy the same.²⁵

TARGET 9-4

By 2030, upgrade infrastructure and retrofit industries to make them sustainable, with increased resource-use efficiency and greater adoption of clean and environmentally sound technologies and industrial processes, with all countries taking action in accordance with their respective capabilities.

Infrastructure development and fostering industrialisation can have a variety of distinct impacts on land, water, air, and the human environment. Water infrastructure can disrupt natural river flow, result in water pollution and create seepage. Road

infrastructure can fragment habitats or cut off migration routes of animals. Mining can contaminate groundwater resources and produce mining waste and noise pollution. Energy production can lead to excessive greenhouse gases (GHG), alongside wider emissions including SO₂, NO_x and dust.

At the same time, many environmentally sensitive areas, such as the Arctic, the Amazon, and the Congo Basin, hold rich deposits of oil, gas, metals, and other valuable natural resources. Developing the infrastructure required to extract these resources – including roads, rail, transmission lines, and dams – can cause severe environmental damage.

Despite this breadth of environmental impacts however, the only indicator chosen to measure progress against SDG 9.4, is CO2 emission per unit of value added. While this links directly with wider SDG ambitions (such as those under SDG 7 and SDG 13) it is unfortunate that progress against SDG 9.4 has been limited in this way.

According to the most recent data, 37.6 gigatons of CO2 was emitted globally from industry and fuel combustion in 2024, reaching a new record high. This marked an 8.3% rise from 2015 and is largely attributed to an increase in natural gas and coal consumption.²⁶

While these figures highlight the importance of decoupling industry and infrastructure from environmental harm, it is estimated that they would have been three times higher in the absence of a growing clean energy sector.²⁷

Transitions to clean energy alternatives have been supported in recent years by domestic and international sustainable development incentives such as favourable tax treatments, emissions credit, and cash grant programs relating to 'green' investment, alongside greater public awareness of SDG 9.4's ambitions for clean and environmentally sound technologies and industrial processes.



TARGET 9.5



Enhance scientific research, upgrade the technological capabilities of industrial sectors in all countries, in particular developing countries, including, by 2030, encouraging innovation and substantially increasing the number of research and development workers per 1 million people and public and private research and development spending.

Investment into Research and Development (R&D) is critical for driving upward mobility within economic development, enabling countries to more successfully transition from basic manufacture to high-tech, value-added industries. Not only does this enable economic diversification and investment in persons, but it creates the potential for new technologies and market-based solutions to support local problems, and drive sustainable solutions, injecting value back into industry and infrastructure.

In measuring progress against this target, SDG 9.4 looks first to the level of R&D expenditure as a proportion of GDP (i.e.: financial investment); and second to the number of researchers (in full-time equivalent) per million inhabitants (i.e.: human investment).

With the former in mind, it is positive to see that global financial investment in R&D grew from 1.72% in 2015 to 1.95% in 2022, notwithstanding notable setbacks caused by

the COVID-19 pandemic. However, regional disparities persist within these figures, with the highest percentages of GDP toward R&D concentrated in Europe and Northern America (standing at 2.59% in 2022), and Eastern and South-Eastern Asia (standing at 2.43% in 2022). In comparison, 2022 data shows that these figures drop to 0.55% for Latin America and the Caribbean, 0.54% for Central and Southern Asia, and 0.38% for Sub-Saharan Africa.²⁸

Similar trends are noted with respect to human investment and the number of researchers per million inhabitants. On a global scale, this figure increased from 1,137 persons in 2015 to 1,420 persons in 2022. However, once again investment is concentrated to Europe and Northern America (standing at 4,254 persons in 2022), along with Australia and New Zealand (standing at 4,809 persons in 2022). In comparison, only 643 researchers per million inhabitants were reported in the same year for Latin America and the Caribbean, 348 for Central and Southern Asia, and only 91 for Sub-Saharan Africa.²⁹

These disparities indicate a continued need for strong policy support for increased financing and resourcing for R&D in developing regions. At the same time, the UN emphasises the need to strengthen female participation within the R&D sector (with women making up only 31.1% of the global research workforce).³⁰

TARGET 9.A



Facilitate sustainable and resilient infrastructure development in developing countries through enhanced financial, technological and technical support to African countries, least developed countries, landlocked developing countries and small island developing States.

The impacts of COVID-19 emphasised the importance of technology and innovation transfer for facilitating a more

even recovery and building resilience within all countries to withstand future shock. To encourage these types of support, SDG 9.a measures progress on the basis of total official international support (official development assistance plus other official flows) to infrastructure in the stated regions. In 2023, this level of total official international support peaked at \$75.2 billion USD and represented 19% of all aid; primarily focused in the sectors of banking and financial services (\$3.4 billion increase), transport (\$2.2 billion increase), and energy (\$2.1 billion increase).³¹



Support domestic technology development, research and innovation in developing countries, including by ensuring a conducive policy environment for, inter alia, industrial diversification and value addition to commodities.

Research and innovation hold the key to economic transformation, industrial diversification and green growth. In assessing progress against this target, SDG 9.b measures the proportion of medium and high-tech industry value added in total value added.

Despite setbacks from the COVID-19 pandemic, the share of medium and high-tech industry has seen strong recovery overall, with progress concentrated in Oceania (including Australia and New Zealand). However, many regions across Asia, and in Sub-Saharan Africa, are still facing declines compared with pre-pandemic figures.³²



Significantly increase access to information and communications technology and strive to provide universal and affordable access to the Internet in least developed countries by 2020.

It is promising to see that as of 2024, 5G coverage has now expanded to cover 51% of the global population, providing greater connectivity, upgrading digital infrastructure and enabling the development of smarter solutions. However, this expansion has been extremely uneven, covering 84% of people in high-income countries, but only 4% of those in low-income countries.³³

For those based in low-income nations (where 5G coverage is severely limited), 4G remains available to only 52% of persons, with internet connectivity still largely dependent on 3G infrastructure. However, there remains 4% of the global population without access to any form of mobile broadband and therefore lacking internet connectivity.³⁴



Key actions lawyers can take

The final section of this chapter provides more details on how the international legal community can engage in efforts to achieve SDG 9. However, the following short summary describes

some of the key actions lawyers can take to contribute to sustainable industry, innovation and infrastructure.

Learn and educate

The very nature of infrastructure and industry is shifting at pace, with conversations around climate friendly solutions, disruptive technologies, available funding and international trade policies, struggling to keep up.

SDG 9's focus on infrastructure building, private sector

innovation and general trade and industry, especially in a post-COVID world, is no longer able to rely on traditional modes of industrialisation and development. For the public and private sectors, along with the lawyers that advise them, keeping up to date on these issues is imperative for effective risk management and safeguarding long-term investments.

Integrate

The UN Global Compact offers a coordinated approach for organisations across all sectors to integrate precautionary, innovative and proactive means for making their business operations and services more sustainable and resilient. With more than 20,000 signatory entities in more than 160

countries, law firms can consider becoming signatories to the compact, committing to align their strategies and operations with universal principles on human rights, environment and anti-corruption, whilst also learning from and contributing to relevant reports and initiatives.

Act

There are myriad ways that lawyers, as specialist advisors on matters relating to infrastructure, investment, cross-border expansion, digital governance, and intellectual property can contribute to SDG 9.

For example, lawyers can engage in transactional work relating to sustainable infrastructure development and finance, promoting infrastructure investment in lesser

developed countries and ensuring that socio-environmental risks are properly considered across every stage of investment.

In driving digital innovations, such as AI, they can advise businesses on risk management standards, or support governments to develop effective frameworks to ensure ethical use and design of disruptive technologies, ensuring their oversight and accountability to human rights standards.

Elements of the international legal framework

International Covenant on Economic, Social and Cultural Rights

Adopted by the UN General Assembly: 16 December 1966

Entered into force: 3 January 1976

Status of ratification (as of June 2026): 173 Parties

The International Covenant on Economic, Social and Cultural Rights (ICESCR), drawing on the Universal Declaration of Human Rights, affirms a series of human rights and encourages social progress. Legally binding on a large number of States, it

indicates a wide consensus on economic, social and cultural human rights. However, a number of States have signed but not ratified the ICESCR, notably Cuba, Malaysia, Saudi Arabia, and the United States.

Relevant to SDG 9 is Article 15 by which State Parties recognise the right of everyone to enjoy the benefits of scientific progress and its applications.

Convention on the Elimination of all Forms of Discrimination against Women

Adopted by the UN General Assembly: 18 December 1979

Entered into force: 3 September 1981

Status of ratification (as of June 2026): 189 Parties

The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) defines what constitutes discrimination against women and sets forth an agenda to end it.

The Convention has achieved a high number of ratifications, with the notable exceptions of Iran, Somalia, Sudan and the United States.

In relation to SDG 9, Article 13 sets out State obligations to ensure women have access, on a basis of equality with men, to financial services (i.e.: bank loans, mortgages and other forms of financial credit). In addition, Article 14(2)(h) ensures that women living in rural areas have access to transport and communication infrastructures.





International Investment Agreements

International Investment Agreements (IIAs) are divided into two types: bilateral investment treaties (BITs), which represent the great majority of IIAs, and treaties with investment provisions, such as free trade agreements with an investment chapter.

A BIT is an agreement between two countries regarding promotion and protection of investments made by investors from respective countries in each other's territory.

International Investment Agreements usually ensure that: foreign investors will be treated under the same terms as domestic companies ('national treatment' clause); States Parties' investors are given the same type of preferences as other foreign investors ('most favoured nation' clause); fair and equitable treatment is guaranteed; investors are protected from expropriation; and, that access is guaranteed to investor-state dispute settlement.

One argument given in support of BITs is that States, especially developing countries, enter into them willingly,

self-determining the limitations on their sovereignty in the hope that they will lead to an increase in foreign direct investment, and in turn, may support infrastructure and industrial development. However, evidence on the ability of BITs to attract foreign direct investment is mixed, as is the ability of such investment to contribute to the development of sustainable infrastructure projects and to advance inclusive and sustainable industrial development.³⁵

With respect to industrial development in particular, a number of investment treaties contain restrictions on the application of 'performance requirements' – i.e.: requirements establishing mandatory and incentive-based tools that restrict investor behaviours in an effort to harness foreign investment towards inclusive and sustainable industrial development. These restrictions can severely inhibit the ability for developing countries to safeguard that the private sector interests of international investments are aligned with public policy objectives for sustainable development.³⁶

The United Nations Framework Convention on Climate Change

Adopted by the UN General Assembly: 9 May 1992

Entered into force: 21 March 1994

Status of ratification (as of June 2026): 198 Parties

The United Nations Framework Convention on Climate Change (UNFCCC) establishes the global objective to “stabilise greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous interference with the climate system.”

The limits on greenhouse gas emissions are non-binding and the Convention itself does not contain enforcement mechanisms. Instead, the framework illustrates how specific international treaties (called ‘protocols’ or ‘agreements’) may be negotiated by State Parties to designate further measures in fulfilling the goals of the UNFCCC. The relevance of the UNFCCC to SDG 9 arises in light of these additional measures such as The Kyoto Protocol and The Paris Agreement (both outlined below).

The Kyoto Protocol

Adopted by the UN General Assembly: 11 December 1997

Entered into force: 16 February 2005

Status of ratification (as of June 2026): 192 Parties

In 1997, parties to the UNFCCC concluded the Kyoto Protocol, containing legally binding obligations upon 37 industrialised countries and the European Union to reduce GHG emissions by an average of 5.2% by 2012 as compared to 1990 levels (Article 3 and Annex B). When the Protocol came into force in 2005, it became the first international, legally binding agreement that

set emission reduction targets.

The emission reduction commitments covered the period from 2008 to 2012, with the Doha Amendment extending these obligations with ‘second-round’ targets upon 37 states to 2020.

As of 28 October 2020, 148 parties deposited their instrument of acceptance, therefore meeting the threshold for entry into force and achieving the Doha amendment.³⁷ Since 2020, the Paris Agreement replaces the Kyoto Protocol.

“This is not a simple environmental issue where you can say it is an issue where the scientists are not unanimous. This is about international relations; this is about economy, about trying to create a level playing field for big businesses throughout the world. You have to understand what is at stake and that is why it is serious.” Margot Wallström, EU Commissioner for the Environment

The Paris Agreement

Adopted by the UN General Assembly: 12 December 2015

Entered into force: 4 November 2016

Status of ratification (as of June 2026): 194 Parties

In December 2015, parties to the UNFCCC reached a landmark agreement in Paris in the form of a legally binding agreement. The Paris Agreement has three objectives: i) to limit global warming to less than two degrees Celsius above pre-industrial levels and pursue efforts to limit the rise to 1.5 degrees Celsius, ii) to improve the ability to adapt to climate change and foster climate resilience, and iii) to make finance flows consistent with the above objectives.

State Parties are responsible for more than 88% of global greenhouse gas emissions, and are committed under the agreement to determine (on a legally binding basis) its Nationally Determined Contribution (NDC) to the overarching aim. To this end, each State Party must submit a report every

five years to the UNFCCC Secretariat upon which realisation of their obligation is determined as an obligation of conduct, rather than of result. As such, there is no enforcement mechanism to ensure that a State will set a meaningful target nor that they will attain it.

SDG 9 is consistent with the Paris Agreement as it calls to upgrade infrastructure and retrofit industries to make them sustainable. SDG 9 and the Paris Agreement both recognise the 'special circumstances' of developing countries. Concretely, in Article 4, Parties commit to reach global peaking of greenhouse gas emissions as soon as possible, 'recognising that peaking will take longer for developing country Parties.'³⁸

The Paris Agreement is on the way to universal ratification, with climate activists calling for greater enforcement and uptake. However, the United States, a key geopolitical actor and the second largest global GHG emitter, withdrew from the agreement for a second time effective as of January 2026.



The Marrakesh Agreement (1994)

The Marrakesh Agreement is a seminal treaty upon which the World Trade Organization (WTO) was established, governing international trade in goods and services. The agreement establishes an integrated multilateral trading system for all WTO members and encompasses the earlier General Agreement on Tariffs and Trade (GATT) (1947) – which was designed to overcome trade wars, protectionist policies, and international trade barriers.

By promoting open trading and free markets, the agreement supports the dynamic transfer of infrastructure, industry and innovation, operating on classic economic theory which holds that the market is “the most efficient mechanism for allocating resources.”³⁹ A number of subsequent agreements under the WTO further support these efforts. Most relevant to the ambitions of SDG 9 are: the Agreement on Government Procurement (2012) and Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (1994) (see more below).

It is necessary to highlight however, that despite the Marrakesh

Agreement’s emphasis on liberalising global trade, recent years have seen a rise in protectionist policies and trade wars, including between two of the largest economic actors – the USA and China. The WTO highlights that in the wake of today’s global polycrisis, including the aftermath of COVID-19 and the ongoing climate crisis, rising economic uncertainty, and the seismic potential of disruptive technologies to fundamentally transform social, economic and political systems, there is an urgent need to address significant gaps within international trading rules to ensure continued openness, transparency and predictability.⁴⁰

However, critics argue that there are greater systemic deficits within the WTO system that are in urgent need of reform. This includes: institutional paralysis of the Appellate Body which compromises effective enforcement of WTO rules; practical limitations in achieving international consensus as a result of strong vetoing powers, and a rise in unilateral policies at the expense of the multilateral order.⁴¹

Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement (1994)

The WTO TRIPS agreement establishes minimum global standards for the protection and enforcement of intellectual property (IP), referring to any rights granted to individuals or organisations over their creations and/or inventions.

The relevance of IP to SDG 9 cannot be understated, as IP rights seek to ensure a delicate balance between public and private interests, incentivising innovation by guaranteeing exclusive rights of ownership to producers for a specified period, while providing user access to new knowledge, technologies and innovations for the public benefit. This is encapsulated within the key objectives of the TRIPS Agreement (Article 7), which are to: “contribute to the promotion of technological innovation

and to the transfer and dissemination of technology, to the mutual advantage of producers and users of technological knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations.”

In addition, Article 8 allows States to adopt appropriate measures to protect “public health and nutrition, and to promote the public interest in sectors of vital importance to their socio-economic and technological development...” and to “prevent the abuse of intellectual property rights by right holders or the resort to practices which unreasonably restrain trade or adversely affect the international transfer of technology.”

Agreement on Government Procurement (2012)

The Agreement on Government Procurement (GPA) seeks to ensure open, fair and transparent conditions of competition in the government procurement markets, preventing the risk of corruption and conflicts of interest within wide scale procurement contracts. As government procurement is a critical mechanism for infrastructure development, this Agreement is central to the ambitions of SDG 9.

The GPA is a plurilateral agreement, meaning that it is not binding on all WTO members. At present, the Agreement has 22 parties comprising 49 WTO members.⁴²

“[I]nfrastructure procurement is central to achieving sustainable development in the Global South. The GPA 2012 is an adaptable predictability- and integrity-enhancing government procurement framework that can assist developing economies in meeting their needs for resilient and sustainable public infrastructure.” (WTO, 2023)



Soft law and declarations

Equator Principles (2003)

The Equator Principles (EPs) are a risk management framework, adopted by financial institutions, for determining, assessing and managing environmental and social risk in projects. The EPs are primarily intended to provide a minimum standard for due diligence and monitoring to support responsible risk decision-making. They apply globally to all industry sectors and to four financial products, namely Project Finance Advisory Services, Project Finance, Project-Related Corporate Loans and Bridge Loans. Implementation of the EP requires

that the adverse impacts on the natural environment and/or local communities of large-scale development projects are taken into account. Financial institutions that have adopted the EPs assess the negative impacts of these projects and establish compliance with the principles as a condition of lending. Currently 126 Equator Principles Financial Institutions (EPFIs) have officially adopted the EPs, covering the majority of international project finance debt within developed and emerging markets.⁴³

UN Declaration of the Rights of Indigenous Peoples (2007)

Adopted following two decades of negotiations, the UN Declaration of the Rights of Indigenous Peoples provides a universal framework to guarantee a minimum standard of well-being for indigenous people around the world.

In relation to infrastructure, the Declaration provides, under

Article 32, that States should conduct consultation and seek cooperation with the indigenous peoples concerned with infrastructure developments in order to gain their free and informed consent before approving any project that might affect their lands or natural resources, and should take effective measures to mitigate the adverse impacts of such projects.

Lima Declaration: Towards inclusive and sustainable industrial development (2013)

Adopted at the General Conference of the United Nations Industrial Development Organisation (UNIDO), the Lima Declaration affirms that poverty eradication can only be achieved through inclusive and sustainable industrial growth.

Member States of UNIDO commit to strengthen international

cooperation for industrial development, via foreign direct investment, knowledge and technology transfer, appropriate financial mechanisms, and new multi-stakeholder partnerships; and call upon UNIDO to serve as a global facilitator of knowledge and advice on industrial policies and strategies.⁴⁴

Addis Ababa Action Agenda (2015)

Adopted at the Third International Conference on Financing for Development and subsequently endorsed by the UN General Assembly in its resolution 69/313 of 27 July 2015, the Addis Ababa Action Agenda provides a global framework for financing the 2030 Agenda for Sustainable Development by aligning financing flows and policies with priorities set up in the SDGs.⁴⁵

In this Declaration, UN Member States commit to increase public investment in infrastructure and to invest in promoting

inclusive and sustainable industrial development.

Concretely, States agreed to establish a 'Global Infrastructure Forum' to bring together multilateral and national development banks, UN agencies, development partners and the private sector in order to improve alignment and coordination among infrastructure initiatives. Since 2016, a different multilateral development bank has hosted the event every year.

UNESCO Recommendation on the Ethics of Artificial Intelligence (2021)

Marking the first global standard on AI ethics, this recommendation was adopted in 2021 by all 194 UNESCO member states. The recommendation seeks to ensure that AI development moves in a responsible direction, providing guidance on how to deal with the known and unknown impacts of AI on human life, the environment and our ecosystems. To do so, it establishes globally accepted values and principles on AI ethics, while outlining actionable steps and concrete policy recommendations for creating AI systems that not only prevent harm, but actively do good and work towards peace.

The recommendation is aimed towards Member States as AI actors and decision-makers, as well as the public and private sectors in the responsible development, use and deployment of AI technologies. Specific to the legal sector, is a core emphasis on the values of human rights and fundamental freedoms, with the recommendation stressing that “new technologies need to provide new means to advocate, defend and exercise human rights and not to infringe them.”⁴⁶

Consequently, the recommendation sets out key legal

principles for consideration by all AI stakeholders, including the need for: proportionality, do no harm, fairness, non-discrimination, privacy, and data protection. As experts in law, legal professionals hold a vital role in translating these values and principles into practice, supporting the development of AI governance and stewardship, developing new data policies and models, integrating use of ethical AI impact assessments, and contributing to adaptive laws and legal norms.

“Values play a powerful role as motivating ideals in shaping policy measures and legal norms... [in turn] principles unpack the values underlying them more concretely so that the values can be more easily operationalized in policy statements and actions.” – UNESCO (2021)

The Global Digital Compact & Pact for the Future (2024)

Established at the 2024 Summit of the Future, the Global Digital Compact outlines a global framework for digital cooperation and AI governance. The pact aims to create an inclusive, open, sustainable, fair, safe and secure digital future for all. This includes, inter alia, securing strong international cooperation

on digital governance, closing digital divides, accelerating progress across the SDG Agenda (with multiple commitments dedicated specifically to furthering the ambitions of SDG 9), creating meaningful inclusion in the digital economy, and increasing investment in digital public infrastructure.⁴⁷

Statement on Inclusive and Sustainable Artificial Intelligence (AI) for People and the Planet (2025)

This joint declaration was signed by participants from over 100 countries at the AI Action Summit 2025 in Paris. The declaration outlines general principles for human-rights based AI, ensuring that its development and use is human-centric, ethical, safe, secure and trustworthy.

To achieve these principles, the declaration commits to

prioritising: accessibility to reduce digital divides; the need for open models and an enabling environment to overcome monopolies; sustainable use and mobilisation, particularly when shaping the future of work; multistakeholder dialogue, and robust AI governance.⁴⁸

The Doha Political Declaration (2025)

The Doha Political Declaration of the Second World Summit for Social Development was adopted in 2025, and aims to accelerate efforts on poverty eradication, social inclusion, and decent work. As part of these aspirations, the Declaration endorses a shared conviction “that social development and social justice are indispensable for the achievement and maintenance of peace and security.”⁴⁹

To this end, and of relevance to SDG 9, the Declaration emphasises the importance of “increasing investments in structural transformation and enhancing productive capacities through diversification, technological upgrading, industrial development, digital transformation and innovation.”⁵⁰



Regional and legal policy frameworks

Asia

Asian Development Bank (ADB)

ADB is an international development finance institution whose main goal is to reduce poverty in Asia and the Pacific (APAC) through environmentally sustainable growth. This goal is pursued through the provision of various forms of financial assistance to developing countries through loans, technical assistance, grants, guarantees and equity investments. The SDGs are core to ADB's mission and upon launching its Strategy 2030 in 2018 (setting the course for ADB's efforts to respond effectively to the APAC region's changing needs), ADB aligned its strategy and seven operational priorities with all 17 SDGs.⁵¹ ADB's corporate results framework also aligns with the SDGs.

ADB works with its developing member countries and private

sector clients on integrating environmental sustainability into national development priorities and corporate sustainability goals, while financing critical programs and projects. ADB's environment work is guided by Strategy 2030, especially the Operational Plan for Priority 3 on 'Tackling Climate Change, Building Climate and Disaster Resilience, and Enhancing Environmental Sustainability', which includes three interlinked sub-pillars: (i) increasing climate change mitigation; (ii) building climate and disaster resilience; and (iii) enhancing environmental sustainability. Under this third pillar, ADB focuses on: air and water pollution management; natural capital and healthy oceans; the water-food-energy security nexus; and cross-cutting issues (e.g.: governance, green business and gender).⁵²

Asian Infrastructure Investment Bank (AIIB) (2015)

The AIIB is a multilateral development bank with the goal of initiating social and economic outcomes in Asia by investing in sustainable infrastructure and other productive sectors in Asia and beyond. To date, 384 projects have been approved to bolster infrastructure across the region with the aim of better connecting people, markets and services.⁵³

The AIIB is governed by an Environmental and Social Framework (ESF) which includes mandatory environmental and social requirements and standards in line with the SDGs.⁵⁴

In solidifying its commitments towards sustainable development, the organisation unveiled a new three-point action plan in 2025 to encourage greater financing towards the SDG goals. The plan focuses on:

1. Pooling financial and technical assistance, resources and services among development partners to reimagine how infrastructure projects are designed and developed;
2. Better distributing project risks among development actors based on their capabilities and mandates; and

3. Strengthening policy frameworks, specifically climate policy-based financing, through enhanced coordination with international financial institutions.⁵⁵

The AIIB's ESF sets out that the organisation promotes sustainable infrastructure and innovation by promoting conservation of water, energy and sustainable land use management as well as encouraging innovation through growth of low carbon technologies, sustainable urban development and cleaner production.

However, analysis of the AIIB sustainable energy strategy paints a mixed picture. Analysts suggest that more ambitious internationally cooperative and transformative policy frameworks and a stronger shift in investments from unsustainable 'brown' (fossil fuels) to sustainable 'green'

(renewable energies) investments is still needed in order for AIIB's energy sector strategy to account for climate change.⁵⁶

“Peace and development remain the call of our times. For countries to develop together, infrastructure connectivity serves as an important physical foundation... Let us aim at development for all and make the AIIB a new type of multilateral development bank that promotes development across the world.” - Xi Jinping, President of China

ASEAN Initiatives

The Association of Southeast Asian Nations (ASEAN) have launched a number of initiatives aimed at creating a more harmonised and integrated Southeast Asia. This includes, for example, the Smart Cities Network launched in 2018 that seeks to unify and accelerate smart city development across 10 ASEAN member states in light of rapid urbanisation and digitalisation. As of 2026, the network comprises of 38 cities.⁵⁷

In addition, the region launched a Master Plan on ASEAN Connectivity (MPAC) 2025 establishing a strategic framework for a more competitive, resilient and well-connected ASEAN. The Plan focused on improved physical, institutional and people-to-people connectivity, and covered five main priorities, namely: sustainable infrastructure, digital innovation, seamless logistics, regulatory excellence and people mobility.⁵⁸ Having concluded in 2025, the plan has now been succeeded by the new ASEAN Connectivity Strategic Plan for

the period 2026-2035. Drawing on lessons learned from the MPAC, the new plan prioritises greater connectivity through improved sectoral alignment, strengthened national level implementation, enhanced national and regional coordination, greater resource investment and stakeholder engagement.⁵⁹



African Development Bank (AfDB)

The AfDB is a development finance institution, established with the overarching objective to spur sustainable economic development and social progress on the continent of Africa (i.e.: in its regional member countries (RMCs)), thus contributing to poverty reduction. This is achieved by mobilising and allocating resources for investment in RMCs and providing policy advice and technical assistance to support development efforts. In its latest Ten-Year Strategy (2024-2033) the organisation highlights 5 key priorities for building sustainable and resilient growth across Africa, namely: Light-up and Power Africa, Feed Africa, Industrialise Africa, Integrate Africa, and Improve the Quality of Life for the People of Africa.⁶⁰

“The Bank will invest in Africa’s best asset: its vibrant young men and women. Africa’s population, which is the youngest and fastest growing in the world, presents the continent with an unparalleled demographic window of opportunity. ” – AfDB Ten Year Strategy (2024-2033)

Established by the AfDB in 2015, Africa50 is designed as an infrastructure investment platform to catalyse public sector capital and mobilise private sector funding. Shareholders are 33 African States, two central banks, the African Development Bank and the Public Investment Corporation. Africa50 mobilises funds from its sovereign shareholders and from private investors for regional and national infrastructure projects, mostly in the energy and transport sectors.⁶¹



New Partnership for Africa's Development: African Science, Technology and Innovation Indicators Initiative (ASTII) (2007)

ASTII was founded in 2007 following the first African Ministerial Conference on Science and Technology, and is intended to act as a learning mechanism, providing 19 African Union Member States with the tools and opportunities to engage in mutual

learning and sharing to improve the measurement of science, technology and innovation (STI).⁶² SDG 9's targets lie at the heart of ASTII, which specifically aims to develop and promote internationally compatible indicators to measure STI progress.

Africa Mining Vision (2009)

The Africa Mining Vision (AMV) was adopted in 2009 following a decision by the African Union's Ministers responsible for Mineral Resources Development. It is intended to provide the basis for an alternative policy framework to address the reality that Africa's mineral wealth, as in the days of colonialism, still primarily benefits outside interests. The AMV seeks to ensure that mining contributes better to local development by making sure workers and communities see real benefits from large-scale industrial mining and that their environment is protected.⁶³

Achieving these goals requires paying attention to all stages of the value chain of non-renewable mineral resources, from contracts and licenses for exploration and production to integrating mining with sustainable development plans. African member governments are expected to adopt, after consultations at the national level, specific plans for implementation called Country Mining Visions. The Country Mining Vision Guidebook lays out clearly defined agendas to address key issues, including fiscal regime and revenue management.

Programme for Infrastructure Development in Africa (2010)

The Programme for Infrastructure Development in Africa (PIDA) is an initiative of the African Union for mobilising resources to implement cross-border infrastructure projects on the continent.

The programme focuses on four main sectors, namely energy, transport, transboundary water, and information and communication technologies (ICT).⁶⁴

African Union Continental Artificial Intelligence Strategy (2024)

The African Union Continental AI Strategy was developed specifically in the attainment of Agenda 2063 and the Sustainable Development Goals. The Strategy seeks to harness AI's benefits, build AI capabilities, minimise AI-based risks, stimulate AI investment and foster cooperation to leverage AI in a manner that promotes social and economic development.⁶⁵

Speaking directly to the ambitions of SDG 9, the strategy emphasises the need for digital infrastructure (including broadband connectivity, electricity and data centres) while encouraging public-private partnerships in the development of an AI industry and start-up ecosystem.

European Union

Environmental Impact Assessment Directive (1985, amended 2014)

Considering and accounting for environmental impact forms part of developing sustainable and resilient infrastructure. The original Environmental Impact Assessment (EIA) Directive (85/337) concerning the assessment of the effects of certain public and private projects on the environment, came into force in 1985, and has since been the subject of three amending directives. In March 2014, the European Parliament and the Council of Ministers adopted a new EIA Directive (2014/52/EU) intending to simplify the rules and reduce the administrative burden as well as improving the level of environmental protection. Entering into force in May 2014, the Directive had to be transposed into national legislation by May 2017.⁶⁶

The Directive sets out public and private projects in the EU

for which the environmental impact assessment is either mandatory (e.g.: long-distance express roads or airports) or left at the discretion of Member States. The procedure is essentially as follows: developers must provide information on a project's impact taking several factors into account (for instance, human health, biodiversity, water, air and climate); the EIA report is then made available to the environmental authorities and the public, and the competent authority decides whether to authorise the project or not, taking into consideration the results of public consultations. The results can then be challenged before the courts. The revised Directive pays greater attention to challenges that have emerged since 1985, like resource efficiency, climate change and disaster prevention.

European Green Deal (2019)

The Green Deal encompasses multiple policy initiatives that aim to bolster the EU's just transition efforts, while maintaining and expanding its status as a competitive and innovative economy. To do so, the Green Deal invests in innovation, clean technology, and green infrastructure, looking to decouple economic growth from resource use, and seeking to modernise industry.⁶⁷

This is supported by the EU Renewable Energy Directives – RED II (2018) and RED III (2023) – which commit to higher use of renewable energy across transport, industry, and infrastructure, establishing new standards, infrastructure rules, and certification frameworks to ensure that clean energy forms a baseline for infrastructure, industry and innovation across the region.

European Declaration on Digital Rights and Principles for the Digital Decade

Signed in 2022, this EU policy declaration sets out a human-centric vision for digital transformation focused on six key pillars, namely: people at the centre; solidarity and inclusion; freedom of choice; participation; safety and security, and sustainability. Key

to lawyers is an emphasis on developing digital infrastructure, industry and innovation in a manner that respects and upholds fundamental freedoms, specifically the freedom of expression, freedom of information, data protection, and privacy.⁶⁸

Council of Europe's Framework Convention on Artificial Intelligence (2024)

As the first legally binding treaty on AI, this landmark Convention is notable in its efforts to ensure that AI respects fundamental human rights, democratic processes, and the rule of law throughout its entire lifecycle.⁶⁹

The Convention covers all aspects of AI design, development and use, and applies to both public and private actors. It addresses complex risks including discrimination in design; the spread of misinformation; privacy rights; gender equality and AI-

related threats to public institutions.

Of relevance to SDG 9 is a shared focus on the need for transparent governance and responsible innovation when looking to the adoption of clean and environmentally sound technologies and industrial transformation. This includes the adoption of risk-based approaches to AI development and use, including mandatory obligations for risk and impact assessments.

OECD

Recommendation of the Council on the Governance of Infrastructure (the Recommendation) (2021)

This OECD Recommendation builds on the former "OECD Framework for the Governance of Infrastructure: Getting Infrastructure Right",⁷⁰ and establishes a new global standard to assist governments when managing public infrastructure projects across the entire project lifecycle with a specific emphasis on regional, social, gender and environmental impacts. The recommendation supports countries to better invest in public infrastructure projects that are affordable, cost effective and trusted by citizens, investors and other stakeholders.

Building on earlier efforts by the OECD to facilitate good practices and knowledge sharing on infrastructure development, the recommendation serves as a forum for exchanging information related to infrastructure governance and aims to foster multi-stakeholder and interdisciplinary dialogue.⁷¹ To achieve this, the OECD has developed a set of

infrastructure governance indicators that serve as a diagnostic tool to assess all aspects of infrastructure development, including (inter alia): building a long-term strategic vision; guarding fiscal sustainability and affordability; ensuring efficient procurement; integrating stakeholder participation; coordinating relevant policies, and creating coherent and predictable regulatory frameworks.⁷²

"Infrastructure plays a critical role in the well-being of people and in the development of countries and communities around the world... [it] is essential to addressing the Sustainable Development Goals (SDGs) and climate change." – OECD

Examples of relevant national legislation and case studies

Canada

First Nations Infrastructure Fund

Created in 2007-2008, the First Nations Infrastructure Fund (FNIF) supports infrastructure projects on reserve lands submitted by First Nations communities. The FNIF is an effort to involve marginalised communities in the identification

and design of infrastructure projects in order to take into consideration local needs and priorities. However, there is general consensus that current funding is insufficient to meet on-reserve infrastructure needs.⁷³

Kenya

M-PESA

M-PESA, a mobile phone-based money transfer, financing and microfinancing service was first set up in Kenya to address one of the biggest global barriers to equal opportunities: the lack of access to financial services. Representing a major impediment to income opportunities and economic welfare, these barriers especially affect the poor, women and youth, rural populations, migrants and those engaged in the informal economy, as well as SMEs and microenterprises.

With M-PESA having improved access to financial services, especially for women and youth in Kenya, the service has since expanded to Tanzania, Mozambique, Democratic Republic of Congo, Lesotho, Ghana, Egypt, Afghanistan and South Africa – contributing to financial inclusion across Africa.⁷⁴ The technology now allows for new payment systems, networks and mobile money schemes which can capitalise on mobile telephony uptake and offer financial services for lower infrastructural costs at increased coverage.

In addition, the initiative has given rise to a series of new legislative and regulatory frameworks in Kenya. At the time M-PESA was developed in 2005 and later launched in 2007, there had been no specific regulatory framework governing mobile money transfer and payment systems in Kenya, with the only operating legislation being the overarching Kenya Information Communication Act of 1998. As innovation in mobile money transfer and payment developed however, the Central Bank of Kenya introduced various regulations and policies which guided the industry. Now, M-PESA and other mobile money transactions are principally regulated under the National Payment System Act of 2011⁷⁵ and the National Payment System Regulations of 2014. Different aspects of the platform are further governed under various forms of legislation such as the Capital Markets Authority Act, Competition Act, Companies Act, Data Protection Act and the Constitution of Kenya.

United States

Infrastructure Investments and Jobs Act (IIJA)

On November 15 2021, the United States signed into law the Infrastructure Investments and Jobs Act (IIJA), a bipartisan piece of legislation that aims to provide \$973 billion over 5 years from FY2022 until the end of FY2026. This includes new investments of approximately \$550 billion in power and energy, environmental remediation, broadband, resilience, transport and water.

The IIJA also aims to provide supplemental appropriations to numerous federal agencies, including the Departments of Commerce, Agriculture, Homeland Security, Transportation,

the Environmental Protection Agency, Energy and Health & Human Services.⁷⁶

The investments under the IIJA are intended to create around 2 million jobs per year over the course of the next decade, increasing the labour force and sustainably growing the US economy. The IIJA hopes to make the largest federal investment in public transit, clean drinking water and wastewater infrastructure, high-speed internet, clean energy, passenger rail and bridges.



South Africa

Infrastructure South Africa (ISA)

Infrastructure South Africa (ISA) is an initiative established in 2020 by the South African government to revise institutional arrangements for infrastructure development in the country. Following the establishment of the National Infrastructure Plan in 2012 and the New Growth Path, the Presidential Infrastructure Coordinating Committee was also established to develop a National Infrastructure Plan. Under their guidance, various strategic integrated projects have come to fruition, aiding in accelerating economic growth for the country.⁷⁷

The ISA covers a wide infrastructure portfolio including clean

water, affordable electricity, adequate housing, transport, sanitation and digital transformation.

To strengthen innovation and technological development, the country further published a new Roadmap for Digital Transformation with planned phases for the years 2025-2030. The roadmap prioritises learning and earning opportunities in the digital domain, combatting fraud and exclusion through digital means, and digitising services across key sectors and government during this period.⁷⁸

China

Made in China 2025

In its 2025 progress report of SDG 9, the UN Industrial Development Organization recognised China's significant role as the global manufacturing leader, noting that "China has made the most significant progress, surpassing first the other middle-income industrial economies in 2004, and then the high-income industrial economies in 2013" with its industrial prowess.⁷⁹ This trend, it noted, has continued since the adoption of the SDG Agenda, with China still showing the most significant industrial progress to date.

Moving forward, the Made in China 2025 strategic plan aims to transform the Chinese economy from a low-cost manufacturing base to a global high-tech superpower, seeking

greater stability away from global supply chains. To do so, the plan has seen a significant investment in research and development towards tech and innovation (aligning with the ambitions of SDG 9.5), the upgrading and retrofitting of traditional manufacturing (in line with SDG 9.4) and the expansion of digital infrastructure (in line with SDG 9.c).

However, critics argue that the plan relied heavily on unfair subsidies, forced technology transfers and the undermining of intellectual property rights, leading to high-profile trade wars that continue to restrict the country's digital transformation efforts.⁸⁰

Insights for the Legal Profession

a) Examples of Relevant Cases and Legal Proceedings

Kenya

Baadi & others v. A-G & others (Lamu Port Case) (2018) High Court of Kenya, Petition 22 of 2012

In recent years, human rights laws have shaped the dialogue concerning sustainable infrastructure and development, with human rights advocates working diligently to promote awareness and accountability within infrastructure projects, as was the case with the Lamu Port - South Sudan-Ethiopia Transport Corridor project (the 'LAPSSET Project').

“The LAPSSET Project Proponents have not put in place adequate mitigation measures consistent with the principle of sustainable development... this failure creates a verifiable and imminent risk to the violation of the right to a clean and healthy environment” - High Court of Kenya

The LAPSSET Project was an ambitious infrastructure program involving the construction of a port in Lamu (Kenya) connected through a railway line, a road and an oil pipeline to the capitals of South Sudan and Ethiopia, as well as a dam, three international airports and three resort cities.

Residents of Lamu, supported by local and international NGOs, filed a complaint before the High Court of Kenya

arguing that the legal procedure on public participation had not been respected and that their rights to information, to a clean and healthy environment and to culture had been violated.⁸¹

The Court found that the project proponents had failed to carry out strategic environmental assessment; that public participation in the design and implementation of the project was insufficient; that preliminary studies were not made available to the population, violating their right to information; that the project proponents had not put in place adequate mitigation measures to minimise adverse environmental impacts; that the government had failed to compensate local fishermen for the limitation of their traditional fishing rights; and that the failure by the government to design a management plan to preserve Lamu Island as a UNESCO World Heritage site constituted of violation of Lamu residents' right to culture.

Accordingly, whilst the High Court did not challenge the implementation of the project itself, it did order project proponents and the government to remedy the observed violations highlighting the importance of inclusive approaches to industrialisation. In addition, the local fishermen were awarded 1.7 billion Kenyan shillings (approximately £13 million) in compensation.⁸²

Canada

Mobil Investments Canada Inc. and Murphy Oil Corporation v. Canada, ICSID Case No. ARB(AF)/07/4

Adopted in 2004 by the Canadian Newfoundland and Labrador Offshore Petroleum Board, the Guidelines for Research and Development Expenditures (the '2004 Guidelines') required oil and gas companies to support research and development (R&D) and education and training expenditure (E&T) in one of Canada's poorest provinces: Newfoundland and Labrador. The guidelines applied to domestic and foreign oil extraction firms alike.

However, Mobil Investments Canada Inc., Murphy Oil Corporation and other investors in offshore petroleum projects argued that by requiring them to invest millions of dollars per year for R&D and E&T in the province of Newfoundland and Labrador, the 2004 Guidelines had caused a damage of approximately \$66 million to their oil investments in the province. The claim was brought under The North American

Free Trade Agreement (NAFTA), noting that Article 1106 strictly limits performance requirements that a host country can impose on investors.

The arbitral tribunal was therefore asked to consider whether Canada had imposed on investors impermissible performance requirements within the meaning of Article 1106(1)(c). The majority of the Tribunal found a breach of Article 1106 and awarded \$13.9 million CAD to Mobil Investments Canada Inc and \$3.4 million CAD to Murphy Oil Corporation in damages plus interest. The case highlights the innate tensions and conflicts of interest in seeking to develop inclusive and sustainable industrialisation, in which investor interests must still be well-balanced against the interests of wider development policies.



Spain, Italy and the Czech Republic

Various investor-state arbitrations against Spain, Italy and the Czech Republic arising out of renewable energy regime.

When encouraging sustainable infrastructure development, the rights of investors and host countries must be well-balanced, well-considered and pragmatic in order to create feasible solutions. In the early 2000s, a number of European countries, such as Spain, Italy and the Czech Republic, sought to create incentive programs to attract investments in renewable energy to promote sustainable infrastructure creation. However, the incentives placed economic strain on national economies, leading some countries to implement changes to the regimes. This gave rise to a considerable number of arbitrations by investors, with one study finding as many as 28 arbitration awards having been made as of February 2020.⁸³

A key issue in many of the arbitrations was whether the state had frustrated the legitimate expectations of the investor by changing the regime, and in so doing, denied the investor fair and equitable treatment. The outcome in each arbitration turned on the specific facts of the case, such as whether the state had provided a specific commitment to the investor or whether the investor's expectations were reasonable in the circumstances. In a significant number of cases however the state was ordered to pay compensation to the investor in question,⁸⁴ demonstrating the importance of risk management strategies and forecasting when developing policy and legislative incentives towards SDG 9.



b) Legal context and challenges

SDG 9 recognises industrialisation as one of the main drivers of sustained economic growth. Indeed, some of the biggest development gains in history, such as in East Asia, have been associated with a strategy of export-led industrialisation. On the other hand, the share of manufacturing in gross world production and in global employment is diminishing, with some seeing this as a sign of premature deindustrialisation in developing countries.

According to UNIDO, however, inclusive and sustainable industrial development (ISID) is more relevant than ever in our era of globalisation, as affirmed by SDG 9 and the Lima Declaration,⁸⁵ and even more so in rebuilding resilience after COVID-19.⁸⁶ For example, industrialisation is noted for its economic diversification of rural economies, building resilience in the context of future risks such as climate change by removing overreliance on single commodities. However, the creation of non-competitive industries can also have adverse economic consequences.⁸⁷

In the case of infrastructure development, successfully implementing ISID will require harnessing technology, innovation and capital. Here, human rights advocacy can be a useful tool for establishing protocols and programmes to protect the rights and interests of underrepresented groups as part of industrialisation processes.

This is especially apt in the context of digitisation efforts, with disruptive technologies including Generative AI, facial recognition technology, and machine learning technologies already facing widespread challenges concerning bias in the data and algorithms used, creating new risks for minority rights and marginalised groups. As these new technologies reconfigure the modus operandi of businesses across all sectors, from healthcare to education, financial services to our justice systems, there is a growing need to ensure that the rights of all stakeholders are fairly represented and protected within their use and design.

Digital Transformations

Digital transformations hold the potential to improve efficiency and resilience across the economy. During the COVID-19 pandemic, many sectors witnessed rapid digitisation of both public and private services, revolutionising the workplace and changing the very terms of business. These transformations saw huge gains, enabling businesses to continue operating despite unprecedented limitations (such as national lockdowns); enabling remote working capabilities with the potential to create more inclusive workplaces; improving technical transparency and data accuracy within supply chains and public recordkeeping; and, increasing productivity while

reducing public expenditure.⁸⁸

However, digital transformations also came with unique challenges that, in the absence of sufficient legal and regulatory safeguards, have witnessed: existing inequalities exacerbated through digital divides; new vulnerabilities embedded within public infrastructure; new risks to data privacy and surveillance; and, in many cases, weakened oversight and accountability due to gaps in digital governance frameworks.⁸⁹

As cautioned by the International Telecommunication Union and UN Development Programme: “Digital technologies have a powerful multiplier effect, both positive and negative, and so it is vital to ensure that their use minimizes any increase, entrenchment, or exacerbation of inequality, especially as very real gender, location, and broader digital and data divides exist.”⁹⁰

Indeed, digital innovations do not solely transform industry and the economy but have already begun to reconfigure infrastructure at societal and political levels too. As more and more people live their lives online, with a growing dependence on digital forms of communication for social interaction and access to information, new digital harms have emerged. This includes, for example: the rise in misinformation, disinformation and deepfakes (aggravated by rapid uptake of social media and artificial intelligence); the role of unchecked algorithms and online bias in magnifying social polarisation and civil unrest;⁹¹ the impact of automation on employment levels and workplace displacement, and new threats to cybersecurity.

To manage these implications, and navigate technological

innovations ethically, there is a desperate need to reform and upgrade existing legal and regulatory frameworks to keep pace with industry transformations. At an organisational level, this includes the support of legal practitioners to help businesses build effective governance mechanisms around their design, deployment and use of disruptive technologies, while ensuring that robust due diligence standards form the basis of all business decisions around digitisation.

In line with existing human rights standards and SDG 9’s ambitions for *inclusive and sustainable* industrialisation, wider questions also emerge around the impacts of digital solutions such as AI on the future of the workforce, environmental degradation and climate impacts (given the significant consumption of natural resources needed to power these technologies), and the risk of market monopolies, as research and development of disruptive tech remains concentrated within larger corporations from developed nations.

For legal professionals, digital transformation of industry and infrastructure therefore provides ample opportunity to shape the future of the economy and the workplace, while safeguarding the rights and interests of all involved.

Investment and Funding

Another key challenge to the successful implementation of SDG 9, particularly in developing countries, is procuring the funding necessary to develop sustainable and resilient infrastructure and invest in innovation.

Traditionally, State and local governments were responsible for the funding and implementation of infrastructure projects, primarily through tax revenues. However, with the post-WWII reconstruction effort, new institutions were established to support infrastructure finance and development.

Today, multilateral development banks (MDBs), bilateral development institutions (BDIs) and export credit agencies (ECAs) complement limited government resources, especially in emerging and developing economies, to scale up investment in infrastructure. In recent decades, the private sector has also played an increasingly influential role in the development of infrastructure. However, private finance tends to go towards sectors and countries with strong investment fundamentals; with a lack of rule-of-law protections being a key reason why foreign investors rely on arbitration provisions

in their investment contracts.

As a result, private creditors tend to favour short-term financing in order to reduce risk; leaving multilateral development banks to address the unmet demand for long-term financing in developing countries.⁹² Here, the potential to provide both funds and technical expertise for project design and implementation arise. The United Nations Inter-agency Task Force on Financing for Development monitors progress on the Addis Ababa Action Agenda and advises governments on financing for sustainable development.⁹³

MDBs have pledged to prioritise low-carbon and resilient infrastructures, integrating new conformance-based and performance-based specifications to ensure that the projects they fund integrate sustainability considerations within their design and operations. However, challenges remain in practice. These include institutional capacity constraints in delivering on low-carbon solutions; competing sustainability interests, particularly where borrowing countries prioritise social and economic gains over environmental ones; and challenges of market-readiness in the procurement of low-carbon alternatives.⁹⁴

Domestic legal framework

When funds are sought to invest in projects in developing nations, a lack of established legal structures can dissuade investors. Concerns that domestic laws and institutions lack the necessary protocols and structures to mitigate losses and resolve potential disputes, act as deterrents to investment. This is particularly troublesome given the level of growth needed in developing nations.

One way to resolve these issues is to support in the development of tried and tested domestic legal frameworks



to protect creditors' and debtors' rights. Although there are a few noteworthy multinational regulations and treaties that foster international administration of bankruptcy estates and creditors' interests (for example, the European Union Insolvency Regulation, UNCITRAL Model Law on Cross-Border Insolvency, and the Cape Town Convention), a wide variance of rights of creditors across jurisdictions, and in developing nations in particular, continues to give rise to unpredictability and impede risk-adverse investors' appetite to invest.

Political instability

Political instability is another hurdle to overseas investment in developing regions. Here, political risk insurance (PRI) is one legal structure that can help to overcome barriers; compensating investors for losses resulting from unpredictable political events, including regulatory expropriations or breach of contract that might occur during the relationship. By reducing risk, PRI enables companies to benefit from commercially attractive opportunities.

The Multilateral Investment Guarantee Agency (MIGA) of the World Bank Group provides political risk insurance for projects in a broad range of sectors in developing countries. In November 2021, MIGA launched the Renewable Energy Catalyst Multi-Donor Trust Fund to support renewable energy projects in developing countries.⁹⁵

Intellectual Property and Technology Transfer

In recent years, one key cause of geopolitical tensions concerning trade and industry, has been the use of restrictive trade measures and protectionist policies to prevent the transfer of intellectual property (IP) and technology.

These measures impede efforts to support developing nations in retrofitting and upgrading infrastructure (as

per SDG 9.4) through the development of domestic tech markets (as per SDG 9.B) but are premised on concerns of IP infringement and theft. As a result, the application of IP rights in international trade and industry has become heavily politicised and is one area in which lawyers can provide additional clarity.



International investment agreements (IIAs)

The stated purpose of IIAs is to encourage economic development and promote foreign investment by alleviating concerns about normative and political instability, especially in developing countries.

“In operation, [regulatory chill] is generally a subtle creature and is difficult to detect. And yet, it has the potential to frustrate initiatives designed to implement national and global environmental objectives.” - Professor Kate Miles, University of Cambridge

On the one hand, some have argued that IIAs can be problematic as they reduce scrutiny and remediation of projects that go badly for a host country by removing disputes from the given country's judicial system. On the other hand, many persuasively argue that without the set of protections that IIAs offer against expropriation and damages in jurisdictions where the rule of law is wanting (see SDG 16.3), many important investments, including in basic infrastructure projects, simply would not take place.

One barrier to creating sustainable IIAs however, is the general dependency on arbitral tribunals to resolve disputes where host governments do not adhere to the terms of an underlying IIA. This is because arbitral procedures can be costly for developing nations,⁹⁶ and can therefore lead to the regulatory progress being dampened across all areas that impact foreign investors because government officials are aware of, and seriously concerned about, the risk of an

investor-state dispute arising. This has been referred to as a “regulatory chill”, prioritising risks of legal challenge over the development of efficient regulation in the public interest.⁹⁷

In particular, regulatory chill may lead developing countries to lower social and environmental standards or fail to raise them in an effort to attract foreign investment. The effect of this is that otherwise welfare-enhancing policies are not introduced at all or that there is a need to pay compensation (on the basis of an IIA) for the introduction of regulations in the common interest.⁹⁸



c) So, what can lawyers do?



This section highlights several areas for action, encouraging the profession to use its expertise and influence to contribute

to building resilient infrastructure, promoting sustainable and inclusive industrialisation and fostering innovation.

Learn and Educate

In order to achieve SDG 9, new policies and regulatory frameworks are needed to incentivise changes in investment towards resilient infrastructures, sustainable and inclusive industries, and digital transformations in developing and developed countries. The wide spectrum of lawyers working in-house, in private law firms and in the public sector as regards infrastructure, clean energy solutions and digitisation efforts, will be better positioned to advise their companies, firms, employees, clients, and communities in support of these changes where they are familiar with the SDGs and the collective blueprint for a better planet.

As many topics related to SDG 9 are rapidly evolving at pace – including AI, digital transformations, clean energy solutions,

trade arrangements and new ways of working – platforms for discussion and knowledge sharing among law firms, legal professionals and wider industries are key. A 2018 study jointly conducted by the International Association of Young Lawyers and the Council of Bars and Law Societies, found that the top challenges that young lawyers in Europe perceived to be threats to the future of the legal profession were: a resistance to innovation; the rise of alternative legal service providers; the commoditisation of legal services; the privatisation of justice, and the implications of new disruptive technologies on the industry.⁹⁹ Aside from strengthening the services and advice that lawyers have to offer their clients, investing in these dialogues is therefore a necessary part of supporting the legal profession as they adapt to widescale industry transformations.

Lawyers can also learn more about and participate actively in initiatives relating to infrastructure programs. For example, the International Chamber of Commerce (ICC) created the Belt and Road Commission to drive the development of ICC's

existing procedures and infrastructure to support Belt and Road disputes. The Commission has since developed Guidance notes on mediation and arbitration to support lawyers working in infrastructure-related dispute resolution.¹⁰⁰

Integrate

Law firms can consider becoming a signatory to the United Nations Global Compact, the world's largest corporate sustainability initiative. The mission of the Global Compact is to mobilise a global movement of sustainable companies and stakeholders to create a better world. With more than 20,000 signatory entities in more than 160 countries, the compact calls upon all corporations to align strategies and operations with universal principles on human rights, environment and anti-corruption, and take actions that advance societal goals.

Many of the Ten Principles adopted by the UN Global Compact's members are closely connected to SDG 9, including: Principle 7 – Businesses should support a precautionary approach to environmental challenges; Principle 8 – Businesses should undertake initiatives to promote greater environmental responsibility, and Principle 9 – Businesses should encourage the development and diffusion of environmentally friendly technologies. Guidelines that have been published by UN Global Compact include guidance for companies to define their company vision, policies and strategies to establish sustainable production and consumption programmes. Furthermore, mining, manufacturing and construction industries, which are instrumental to infrastructure and SDG 9, have been highlighted as the most hazardous workplaces. Herein, the UN Global Compact's Guide to Corporate Social Responsibility highlights a need for companies everywhere, and especially in these sectors, to look deeper into their operations and value chain to ensure that labour standards are

upheld to improve industrial relations and build more resilient economies and communities.¹⁰¹

On the topic of innovation, the UN Global Compact has also produced a 'Tech4Good: Scaling up social transformation in the fourth industrial revolution' report, illustrating how digital infrastructure and ecosystems can drive social change. The economically marginalised in society may not have the capability to absorb innovations that big businesses create because of constrained infrastructure and purchasing power. The report therefore highlights the role that civil society, especially entrepreneurs, can play in creating markets to increase access to digital infrastructure for the masses; entrepreneurs who will require legal support and frameworks to develop.¹⁰²

As part of digital integration efforts within law firms and in house practices, lawyers can further draw on their expertise of key legal principles, such as proportionality, do no harm, fairness, non-discrimination and privacy, to innovate new ways of working, paving the way for the legal sector and the wider professional services industry. As highlighted by various soft law declarations on the responsible and ethical use of technologies such as AI, it is these normative principles that provide a guiding framework in the absence of clearer parameters around digital integration – and it is likely that these principles will continue to take centre stage in digital governance, given the difficulties of regulating new technologies that are developing at such speed and scale.

Act

Many law firms are working to make their pro bono work more strategic, collaborative and sustainable. By aligning their work with the SDGs, lawyers can be confident that they are taking practical steps towards a comprehensive and inclusive roadmap for sustainable development. This can help firms to establish and develop collaborative, cross sector partnerships with other organisations that are working towards the same goals.

Developing a pro bono strategy with clearly identified goals, enables firms to assess the effectiveness of their pro bono work over time and thereby increase its impact. The SDG

framework offers law firms the opportunity to effectively measure and demonstrate their positive impact towards globally recognised goals. This is particularly useful with respect to industry and infrastructure, where conflicts of interest are bound to arise between economic, social and environmental interests given the tendency for traditional industrialisation processes to come at the expense of environmental degradation and increased social inequalities.

In the context of SDG 9, law firms and lawyers can expand their SDG contributions and pro bono work in several ways, including:

Sustainable Infrastructure and Finance

Law firms and lawyers can engage in transactional work relating to sustainable infrastructure development and finance or participate in infrastructure development transactions in developing countries and promote opportunities for such projects with developers and potential financiers. This includes helping to negotiate and structure Public-Private Partnerships (PPP) to ensure that infrastructure development projects are well designed so that risks are fairly allocated between parties, that effective due diligence forms the basis of infrastructure development partnerships, and that effective dispute resolution mechanisms are put in place.

They can also collaborate with multilateral development banks (MDBs), bilateral development institutions (BDIs) and export credit agencies (ECAs) on promoting infrastructure investment in lesser developed countries, and work with microfinance clients to seek out investment opportunities, assisting with

jurisdictional risk analysis and advising on risk mitigation strategies.

When advising financial institutions, who fund infrastructure or industrial projects, lawyers should familiarise themselves with, and raise where relevant, voluntary codes developed to encourage consideration of environmental and social issues in project financing, such as the Equator Principles. When advising private investors, lawyers should also highlight the risks and opportunities related to social and environmental considerations.

Besides advocating for environmental- and social-governance principles to be considered by their business clients, law firms can also help to structure sustainable project financing through the use of green bonds or sustainability-linked loans to put these principles into practice.

Local Community Interests

Lawyers can support local communities affected by large scale infrastructure projects in a multitude of ways. This includes: raising awareness among local communities of their rights and entitlements; ensuring fair land acquisition and compensation; helping to negotiate Community Benefit Agreements;

promoting public participation within project design; enforcing environmental regulations or representing affected communities in infrastructure-related disputes. This may also include working with civil society organisations or non-profit organisations as part of wider efforts to promote local interests.

Technology & Intellectual Property (IP)

In light of existing geopolitical tensions around the proper use and application of IP rights, lawyers can support start-up companies, tech providers, research institutions and tech developers to better understand their rights and interests, helping to develop a more resilient and competitive domestic technology market.

At the same time, lawyers can work with national governments to develop laws and regulatory frameworks that support IP protection, while also seeking to stimulate healthy competition in an industry that currently struggles with significant market concentration and monopolistic barriers to entry.

Digital Governance

Lawyers can support in the drafting of legal and regulatory frameworks around new innovations, such as AI, and in the development of best practice and guidance around industry use and integration. As disruptive technologies are developing at a rapid pace, flexible approaches to the oversight and governance of these solutions will be vital, along with safeguards that ensure ethical design and development.

Lawyers can also help to strengthen internal business practices around digitisation, updating risk mitigation strategies, drafting new policies, and providing awareness and training sessions so that businesses are better equipped to use and deploy disruptive technologies in a manner that is consistent with human rights standards and responsible business practices.

Strategic Partnerships

Given the focus of SDG 9 on industry and innovation, this goal presents a compelling opportunity for law firms, corporate legal departments and other lawyers to work strategically with a wide range of industries and sectors both domestically and abroad.

Of particular relevance to SDG 9.3 is the way that strategic partnerships can support small-scale industries, for example by helping to provide access to financial services, business planning, or IP protection.

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