



## Governing for the Future

### Briefing Note: Building the Architecture of the UN high-level political forum (HLPF)

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#### 1. Background

Strengthening the Institutional Framework for Sustainable Development (IFSD) was one of the two themes of Rio+20. The process and negotiations showed agreement on the need to strengthen IFSD. While several institutional options were discussed during Rio+20, the outcome document strongly underlines the importance of good governance and agreement was reached to establish a high-level political forum (HLPF) as the institution for sustainable development within the UN. The ultimate determination of the name, position within the UN hierarchy, mandate and responsibilities of the forum will signal to the world the importance given to sustainable development in global politics.

Paragraph 84 of the Rio+20 Outcome Document mandates this new mechanism to follow up on the implementation of sustainable development at the United Nations, and “*build on the strengths, experiences, resources and inclusive participation modalities of the Commission on Sustainable Development (CSD), and subsequently replacing the CSD*”. Paragraph 85 delineates potential elements of the work areas of the new mechanism. These two paragraphs are now the basis for establishing the modalities and format of the new mechanism that will deal with the integration of the three dimensions of sustainable development at the intergovernmental level within the UN.

Arriving at an agreement on what exactly the high level political forum (HLPF) will do and what its functions will be remains a major challenge. With the mandate from Rio+20, a negotiating process under the auspices of General Assembly will start to define the format and organizational aspects of the HLPF. In due course a workable solution will have to be found as decisions are expected by May 2013, and the HLPF is due to meet for the first time in September 2013 at the beginning of the 68<sup>th</sup> session of the General Assembly.

#### 2. The Issue and Challenge

To arrive at a solution to the challenge of developing and establishing a new mechanism for sustainable development within the UN, a number of questions need to be addressed of which the most important is likely to be, *what is the level of political significance that will be attached to the new mechanism?*

There are other, related questions that need to be addressed. Among these are:

- *where in the hierarchy of the UN will the institution be placed?*
- *how does it relate to the reformed ECOSOC and other entities of the UN machinery ?*
- *what will be its modus operandi?*
- *what is the mandate, frequency of meetings, topics, degree of flexibility to address emerging issues?*
- *what are the means of ensuring high-level participation of all stakeholders in a meaningful way?*

The first informal meeting of the negotiations was held in New York on 30<sup>th</sup> January. What was apparent from this meeting was the exceptionally broad spectrum of views of Member States on what form the HLPF might take. These views ranged from Malaysia - which called for a full, beyond CSD

model - to the USA – which called for a 1/2-day event every 3-4 years and with no need for a Secretariat to support the HLPF<sup>1</sup>

Given the nature of multi-lateral processes, the divergent political views on what the HLPF should be presents a major risk to the successful establishment of this body as an effective successor body to the CSD as the high-level body for sustainable development in UN system tasked with implementing the sustainability agenda. Unless innovative options and solutions are brought forward quickly, there is the potential of another underwhelming outcome for sustainable development governance.

### 3. Potential Form, Modalities and Functions

The functions set out for the HLPF at Rio+20 – ranging from providing political leadership through to strengthening the science-policy interface – clearly envisage a body with a substantial and substantive mandate. As the highest-level body dedicated to sustainable development within the UN System, following-up and monitoring the sustainable development agenda will be of key importance. In fact, Paragraph 84 of the Rio+20 Outcome Document clearly and succinctly states the overall function of the high-level political forum, namely that it “*shall follow-up on the implementation of sustainable development and should avoid overlap with existing structures, bodies and entities in a cost-effective manner.*” The full list of functions of the can be found in Annex B which present the relevant paragraphs of the Rio+20 Outcome Document which related to the HLPF.

Based on discussions with stakeholders, Members States and UN Secretariat, it is apparent that there are **three major priorities for the HLPF; agenda-setting, integration and implementation.**

Additionally, some specific topics that the negotiations on the HLPF must explore and reach an agreement on include:

- **Building on the CSD and Learning its Lessons** – There is much to learn from the CSD experience; some of it good, some of it bad. While there were some key successes of CSD, it is widely agreed that CSD has lost its effectiveness. For example, its decisions did try to reflect all three dimensions of sustainable development, but since the governments participants it attracted were primarily from the environmental field as opposed to other areas relevant to sustainable development, such as finance, economy, planning and social development, the decisions were not mainstreamed in the work of the operational parts of the United Nations System nor were they embraced at the regional and especially national levels
- **Governance and Modalities** – CSD reported to ECOSOC and was therefore subsidiary. The positioning of the HLPF within the UN system in relation to other UN bodies such as the General Assembly (GA) and ECOSOC will be a key basis for its overall importance and ability to impact. This includes determining to whom it reports; the GA, ECOSOC or both (such as the Peace Building Commission). Furthermore, the nature of the relationship between the HLPF and a reformed ECOSOC and a strengthened UNEP (two other Rio+20 follow-up processes) must also be fleshed out and detailed.
- **Inclusiveness and Stakeholder Participation** – A key feature of CSD was its openness to the participation of non-state actors, in the form of the 9 Major Groups. At a minimum, the HLPF should carry over the modalities applied by the CSD, which will require a deviation from the standard GA practice. In fact, the final modalities should move forward from the status quo in CSD. However, new and innovative models of stakeholder engagement are needed in order to move toward more participatory decision-making. For example, an advisory body to the HLPF with a multi-stakeholder nature could be established.
- **Review Mechanism and Agenda-setting** – The HLPF must have sophisticated mechanisms for the review of progress against previous commitments (e.g. Agenda 21, the Johannesburg Plan of Implementation, the Barbados Programme of Action, the Mauritius Strategy and the outcome of Rio+20. Based on this review, the HLPF must then have the ability to set its own

<sup>1</sup> For IISD article summarizing the event, see link - <http://uncsd.iisd.org/news/un-member-states-begin-negotiations-on-hlpf/>



- agenda as well as the agenda for sustainable more broadly across the UN System, while striking a balance between predictability (to ensure time for preparation) and flexibility (to enable the ability to deal with new and emerging issues).
- **Implementation** – Implementing sustainable development has been identified as the key remit of the HLPF. However, the meaningful implementation of sustainable development has also been identified as a failing of CSD. As above, the HLPF must learn from the CSD experience and find solutions to overcoming implementation challenges such as engagement beyond environment and foreign ministries, stimulating coordinated national action and policies and the mobilisation of resources and financing.
  - **Voluntary Country Presentations** – The HLPF should promote the sharing of best practices and experiences relating to the implementation of sustainable development and, on a voluntary basis, facilitate sharing of experiences, including successes, challenges and lessons learned between Member States.
  - **Regional Preparatory Meetings** – Regional implementation meetings (RIMs) have been an integral part of the preparations for the CSD review sessions. Building on the practice of the CSD, the regional preparatory meetings of the forum could serve to (i) oversee and promote implementation of Rio+20 outcomes and other SD commitments at the regional level; (ii) share knowledge and experiences among countries in the regions; (iii) focus attention on new and emerging issues and bring a regional perspectives into the global dialogues; (iv) leverage on the substantive work done by the regional commissions on sustainable development, including by their sub-committees and technical groups; and (v) provide opportunities to engage major groups and other stakeholders that may not be so engaged at the global level.
  - **Partnerships and Voluntary Commitments** – The forum should continue to build on the legacy of the World Summit on Sustainable Development (WSSD), CSD and Rio+20 and include consideration of voluntary partnerships for sustainable development as an integral part of its work
  - **Coordination and Integration** – The HLPF should avoid overlap with existing structures, bodies and entities as the work of several intergovernmental bodies touches upon different aspects of sustainable development, notably the General Assembly and the ECOSOC. A key role of the HLPF will be to ensure that all these intergovernmental bodies promote sustainable development in a complementary and coherent way, within their respective mandates. Another benefit of the HLPF would be to provide space for an in-depth consideration of the three dimensions of sustainable development in a holistic and comprehensive manner.
  - **Science-Policy Interface** – Rio+20 called on the HLPF to “*strengthen the science-policy interface through review of documentation, bringing together dispersed information and assessments, including in the form of a global sustainable development report, building on existing assessments*”. To achieve this, consideration could be given to creating a scientific advisory body of the forum, for example, which would engage the academic, scientific and technological community in the HLPF’s work
  - **Relationship to other Post-Rio and Post-2015 Activities** - Agenda 21 was arguably the “biggest” outcome of Rio ’92, and formed the core of CSDs mandate. Likewise, the Sustainable Development Goals (SDGs) are arguably the “biggest” outcome of Rio+20, and therefore could form the core of the HLPF’s mandate. However, the HLPF may also be the institutional home responsible for the implementation of other Rio+20 outcomes such as (amongst others):
    - the other intergovernmental process to develop a Strategy for Financing and Mobilisation of Resources for Sustainable Development;
    - the 10 Year Framework of Programmes (10FYP) for Sustainable Consumption and Production (SCP);
    - the Secretary-General report on intergenerational solidarity for the achievement of sustainable development, taking into account the needs of future generations;



- the United Nations Statistical Commission programme to broader measures of progress to complement gross domestic product in order to better inform policy decisions; and
- the full implementation of the commitment in the United Nations Convention on the Law of the Sea (UNCLOS), and the development of an international instrument under UNCLOS by September 2015.

#### 4. What Is Needed

Given the importance of ensuring that the HLPF has the right architecture, coupled with the relatively short negotiation timeframes due the commitment for the HLPF to meet in September 2013 there is a need for a targeted and timely programme of work around the governance design of the HLPF. Such a programme would include the following activities:

- Commissioning think pieces from experts on different aspects of good governance for sustainable development with a focus on implementation, specifically for the HLPF;
- Undertaking consultations and surveys of stakeholders to source views and input to the design of the HLPF;
- Holding a government retreat by invitation only and under Chatham House Rules, to facilitate an open dialogue on the potential options amongst Members States with input for key stakeholders;
- Producing a summary report of the main points arising from the government retreat to function as a background paper for the HLPF negotiations;
- Developing an update of the webpage dedicated to SD Governance to promote dialogue and the dissemination of information and ideas;
- Developing proposals and options regarding mechanisms to review progress on previous international commitments and report on the state of sustainable development.
- Collection best practice examples and building standards on transparency, accountability, access to information and inclusive decision-making
- Using stakeholder networks and new media solutions to invite serious stakeholders to contribute to the conceptual thinking on the HLPF;
- Drafting papers on new and innovative models/architecture for stakeholder engagement and participation building on the 9 Major Groups system;
- Developing a proposed formal mechanism to enable all relevant stakeholders and Major Groups to enjoy full and fair participation and engagement with the HLPF; and
- Gathering evidence and documentation of lessons learned from the UN system on Major Groups and other stakeholder engagement and provide way forward on how the HLPF could be structure to enhance the voice of non-state actors.



## **ANNEX A**

### **Rio+20 HLPF Outcomes**

The below paragraphs are excerpts from the Rio+20 Outcome Document (The Future We Want) relating to the HLPF.

*84. We decide to establish a universal intergovernmental high-level political forum, building on the strengths, experiences, resources and inclusive participation modalities of the Commission on Sustainable Development, and subsequently replacing the Commission. The high-level political forum shall follow up on the implementation of sustainable development and should avoid overlap with existing structures, bodies and entities in a cost-effective manner.*

*85. The high-level forum could:*

- (a) Provide political leadership, guidance and recommendations for sustainable development;*
- (b) Enhance integration of the three dimensions of sustainable development in a holistic and cross-sectoral manner at all levels;*
- (c) Provide a dynamic platform for regular dialogue, and for stocktaking and agenda setting to advance sustainable development;*
- (d) Have a focused, dynamic and action-oriented agenda, ensuring the appropriate consideration of new and emerging sustainable development challenges;*
- (e) Follow up and review progress in the implementation of sustainable development commitments contained in Agenda 21, the Johannesburg Plan of Implementation, the Barbados Programme of Action, the Mauritius Strategy and the outcome of the present Conference and, as appropriate, relevant outcomes of other United Nations summits and conferences, including the outcome of the Fourth United Nations Conference on the Least Developed Countries, as well as their respective means of implementation;*
- (f) Encourage high-level system-wide participation of United Nations agencies, funds and programmes and invite to participate, as appropriate, other relevant multilateral financial and trade institutions and treaty bodies, within their respective mandates and in accordance with United Nations rules and provisions;*
- (g) Improve cooperation and coordination within the United Nations system on sustainable development programmes and policies;*
- (h) Promote transparency and implementation through further enhancing the consultative role and participation of major groups and other relevant stakeholders at the international level in order to better make use of their expertise, while retaining the intergovernmental nature of discussions;*
- (i) Promote the sharing of best practices and experiences relating to the implementation of sustainable development and, on a voluntary basis, facilitate sharing of experiences, including successes, challenges and lessons learned;*
- (j) Promote system-wide coherence and coordination of sustainable development policies;*
- (k) Strengthen the science-policy interface through review of documentation bringing together dispersed information and assessments, including in the form of a global sustainable development report, building on existing assessments;*
- (l) Enhance evidence-based decision-making at all levels and contribute to strengthening ongoing efforts of capacity-building for data collection and analysis in developing countries.*

*86. We decide to launch an intergovernmental and open, transparent and inclusive negotiation process under the General Assembly to define the format and organizational aspects of the high-level forum with the aim of convening the first high-level forum at the beginning of the sixty-eighth session of the Assembly. We will also consider the need for promoting intergenerational solidarity for the achievement of sustainable development, taking into account the needs of future generations, including by inviting the Secretary-General to present a report on this issue.*