

**HLPF Morning Meeting of the President of ECOSOC with
Major Groups and other Stakeholders**

“The Future of the HLPF – Agenda Setting”

Remarks by Jeffery Huffines, CIVICUS & NGO Major Group Organizing Partner

Thursday, 3 July 2014

Your Honor, Excellencies, Ladies and Gentlemen:

Permit me to state at the outset that my remarks are based upon an analysis of Jan-Gustav Strandanaes’s excellent paper commissioned by UN DESA entitled “Participatory democracy-HLPF laying the basis for sustainable development governance in the 21st Century.”

Other useful resources commissioned by UN DESA include:

- The Role and Place of the High-level Political Forum in Strengthening the Global Institutional Framework for Sustainable Development - by Steven Bernstein
- Strengthening Public Participation at the United Nations for Sustainable Development: Dialogue, Debate, Dissent, Deliberation (by Barbara Adams & Lou Pingeot)
- The Future HLPF Review - Criteria and ideas for its institutional design (by Marianne Beisheim, German Institute for International and Security Affairs of the Stiftung Wissenschaft und Politik (SWP))

My remarks will center around three key points agreed upon by all Major Groups and most other stakeholders:

- 1) The implementation of the modalities of participation for Major Groups and other stakeholders as mandated by Resolution 67/290 is key to ensuring a transformative, inclusive post-2015 development agenda.
- 2) While respecting the intergovernmental character of the forum, Member States should support the active participation of Major Groups and other stakeholders in the agenda setting of the HLPF.
- 3) The HLPF will require a bureau and strong secretariat support if the forum is to fulfil its extensive mandate and agenda.

Modalities of Participation

When Major Groups and other stakeholders met with the President of ECOSOC last month, he very astutely observed that if there is one thing certain about Resolution 67/290 is that it accords major groups and other stakeholders the most far reaching participatory privileges in the history of the UN. These privileges must be translated into operative modalities and deciding upon possible modalities is the main task before us. HLPF is still subject to many different interpretations by Member States, and the next two years will to a large degree decide its proper organisational configuration.

Major groups and relevant stakeholders are referred to in 8 paragraphs in the HLPF resolution. These paragraphs are: 8c; 10; 13; 14; 15; 16; 22 and 24.

- In **paragraph 8**, major groups are invited to actively participate in reviews of implementation;
- **Paragraph 13** is on regional commissions and regional meetings involving major groups;
- **Paragraph 15** is the key paragraph concerning the rights of major groups and other relevant stakeholders, that includes:
 - (a) To attend all official meetings of the forum;
 - (b) To have access to all official information and documents;
 - (c) To intervene in official meetings;
 - (d) To submit documents and present written and oral contributions;
 - (e) To make recommendations;
 - (f) To organize side events and round tables
- **Paragraph 16** is about the right to self-organize and include other stakeholder groups, “such as private philanthropic organizations, educational and academic entities, persons with disabilities, volunteer groups” and contains a challenge to the major groups to make sure the process is accountable, fair and transparent;
- **Paragraph 20** states that funding for invited members of the major group constituency can be given from the UN irrespective of the geographical origin of the major group members.

Agenda Setting

On agenda setting, **Paragraph 22** is another important paragraph, which also allows major groups to become part of the agenda setting process of the HLPF. To quote:

“Requests the President of the General Assembly and the President of the Economic and Social Council to coordinate with the Bureau of the Council and with the bureaux of the relevant committees of the General Assembly to organize the activities of the forum so as to benefit from the inputs and advice of the United Nations system, the major groups and other relevant stakeholders, as appropriate;”

This can and should be interpreted in such a way that this is a strong invitation for Major Groups and other stakeholders to contribute to agenda-setting of the forum. This can be organized in a systematic way, by inviting the nine major groups to analyze on a year by year basis the situation of sustainable development in the world, and through a well argued document, propose items to be on the HLPF agenda. These documents must of course be handed in to the HLPF secretariat according to a set deadline. Again, such a process was in place through the background documents written by major groups for the Review Years of CSD, so in that sense, an agenda-setting process as suggested here may not be seen as something new.

The interpretation will in the final stages rest on the shoulders of the deciding elements of the HLPF when it comes to agreeing on the final agenda. The question then remains – which

are the deciding elements of the HLPF when there is no Bureau: the Presidency of ECOSOC for three years and the office of the PGA every fourth year? And if so – how does such an interpretation harmonies with the crucially important words “under the auspices of” referred to in paragraphs 3, 6 and 7 of the HLPF resolution?

The HLPF as a hybrid body

The HLPF has been created as a unique hybrid under the auspices of ECOSOC and the UNGA to create and develop, coordinate, and review policies on sustainable development and the SDGs for the UN for the next two decades – at least.

The key words in making HLPF into this hybrid are “under the auspices of”. Paragraph 3 states:

“Also decides that the meetings of the forum will be convened under the auspices of the General Assembly and of the Economic and Social Council;”

Paragraph 8 goes on to state that certain parts of the HLPF are “under the auspices of ECOSOC” with other formal elements “under the auspices of UNGA” (Paragraph 9). This phrase is interpreted to mean that the HLPF will function partly as a subsidiary of ECOSOC, partly as a subsidiary of the General Assembly.

As HLPF operates under the rules of procedure of the functional commissions of ECOSOC and not ECOSOC itself it allows for both universal membership and universal participation.

The hybrid structure also contributed to establishing the HLPF as a “high level meeting”, allowing for Heads of State level and Ministerial level meetings to be organized. As the HLPF exists somewhere between the General Assembly and ECOSOC and has ‘subsidiarity to both’ it will probably be reporting directly to both. It would thus not make the HLPF into an ordinary ‘subsidiary body’ of ECOSOC on par with the other ECOSOC fora, but its hybrid format has created a form of ‘light subsidiarity’ to ECOSOC.

But what does this mean in practice?

While ECOSOC has now been given the role as the supreme coordinator of sustainable development at the UN, HLPF has been given a role as a policy executor of the same. Are there conflicts of interests here? And if so – how may these issues affect the involvement of NGOs and major groups in sustainable development policy work at the UN? Whereas the ECOSOC Rules of Procedure confines activities of NGOs and major groups, HLPF includes and expands the same.

At the same time, there have been concerns even within the UN about the lack of impact of ECOSOC on implementation, about its lack of flexibility at times to respond to emerging

issues and about its over-crowded agenda, which has defied several decades of attempted reform.

The recent resolutions on ECOSOC reform and the HLPF tie these two UN bodies closely together. HLPF has not been given a clear-cut and operative mandate with a number of clearly defined functions as the CSD was given in 1993 by the GA resolution establishing it. But as HLPF has granted major groups, civil society and relevant stakeholders more privileges at the UN than any other UN body has ever done, it is necessary to discuss the possible operative systems of HLPF and make an effort to outline and delineate its functions and support systems within the formalities of the UN. Only then will it be possible to understand the potential modalities that may be envisaged for NGOs and major groups in the functions of the HLPF, further develop this potential, formulate modalities wisely and make sure they stay functional and operative over time. This may also strengthen the HLPF as the major groups and relevant stakeholders are integrated elements in the governance system of the HLPF.

HLPF is a hybrid construct but its real working profile has not yet been launched. The ECOSOC President will have a large responsibility in preparing and convening HLPF, but the President including Member States may well find that institutional instruments need to be added to the existing system to make it operational. Several independent observers and even member states have pointed to the lack of a bureau for HLPF as a major institutional weakness, making it less efficient and more cumbersome to handle.

What is perceived as an institutional weakness may be addressed again by the UNGA in a few years as provided by paragraph 29 of the HLPF resolution: *“Decides to review the format and the organizational aspects of the forum at its seventy-third session, unless otherwise decided;”*

The caption ‘unless otherwise decided’ may allow for an interim solution to strengthen HLPF to be implemented earlier. For example, the DCF has an Advisory Board to help run its business.

Therefore, perhaps an Advisory Board for the HLPF, being of a less formal character than a Bureau, could be established already during 2014? Adding an Advisory Board to the HLPF as a temporary addition would not necessarily make the HLPF into a ‘body’. Its performance could then be reviewed and if successful, the idea to establish a Bureau for the HLPF could be proposed for the HLPF revision at the 73rd General Assembly. If an Advisory Board could be established, would it be inconceivable to have representatives as observers from the major groups on that Advisory Board?

For Major Groups and other stakeholders, it is obvious that the HLPF needs a designated and well resourced secretariat to perform its tasks. If not just for the size of its work, then for the simple fact that sustainable development has been heralded as one of the most

important agendas of the world.

No SDG and no policy on sustainable development will be implemented unless people are engaged. Linking the grass roots of the world to the UN and subsequently engaging them, is orchestrated through the NGO community. As the 193 Member States of the UN commit to integrating the SDGs in their national plans, thousands of NGOs will be seeking to work on sustainable development issues. The engagement will take place at all levels – local, national, regional and global. The engagement will be multidimensional: policy development and analysis, implementation of programmes and projects, reviews and upgrades of targets and indicators, searching for emerging issues. Serving these organizations, as well as harnessing and reaping the benefits of their engagement will demand a well integrated and resourced secretariat. It is imperative that the present UNDESA/DSD must be upgraded with resources, its autonomy buttressed, its finances bolstered.

To conclude, we believe that an HLPF as a strong autonomous body will also make ECOSOC stronger.

Thank you very much for the opportunity to speak on this important issue.