

TWN

Third World Network

Expert group meeting on the agenda-setting

for the High-Level Political Forum (HLPF)

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The HLPF is perhaps the most important outcome of Rio+20. It provides UN Member States with the opportunity to set up an architecture that is effective and able to meet present challenges in sustainable development, (including the ongoing multiple crises in the economic, social and environmental areas) and the even larger challenges that loom in the future.

1. **Functions:** Paragraph 85 of the Rio+20 Outcome Document (para. 85) affirms twelve important functions, including for the HLPF to be a platform for regular dialogue; to follow up and review the implementation of commitments contained in the outcomes of major UN conferences and summits as well as their respective means of implementations; provide system wide coherence on sustainable development; provide political leadership, guidance, and recommendations for sustainable development; enhance integration of the three dimensions of sustainable development at all levels; enable consultations with Major Groups and stakeholders, and enhance decision-making and capacity-building for data collection and analysis in developing countries.

2. The HLPF is envisaged to hold a **high level event** during the High Level segment of the UNGA annually (or every 2 to 3 years) to attract the participation of heads of state and government. For this high level event to be successful, it is necessary to have many meetings (backed by an adequately funded and well-structured secretariat) over regular intervals during the year to discuss substantive issues relating to sustainable development.

3. Given the important functions as agreed in the Rio Summit, the HLPF:

- a. **Must not be just a political talk shop** of roundtables without decision making authority.
- b. The HLPF should have the **mandate** to make decisions, through an intergovernmental mechanism and process. The HLPF mandate also has to be broad in order to adequately address the Sustainable Development Goals outcome, the Post-2015 development agenda and the Rio+20 follow-up. As such, the mandate should encompass economic and systemic macro-policy aspects as well as social and environmental.
- c. In order for the HLPF to be substantive, its **meetings** should be carried out over a sufficient period of time and should cover its mandated functions:
 - to prepare the annual high-level event,

- to discuss and decide on critical and emerging sustainable development issues,
 - on implementation of Rio plus 20, Agenda 21, and other UN conferences
 - on the follow up to SDGs and Development Agenda,
 - on finance, technology and other MoI.
 - On coordination and coherence of UN system activity on sustainable development.
- d. The **number of days** to allocate for the HLPF to meet should depend on the functions and activities of the HLPF, as mandated by the Rio plus 20 outcome and as subsequently developed by member states. It should be noted that the Human Rights Council meets for over 200 days in the year.
- e. The HLPF needs the support and servicing functions of a strong **Secretariat**. At the very least, the equivalent number of staff of the CSD should be allocated to the HLPF. It is important that there is no decrease in human resources, as the HLPF is clearly mandated with more functions as well as enhanced functions compared to the CSD. It should be noted that the Rio+20 outcome mandates that the HLPF will build upon the strengths and resources of the CSD.
- f. **Structure of the HLPF**: In line with the three pillars of sustainable development, the HLPF could have three **working committees**, each focusing on economic, social and environmental issues, with a fourth general committee focusing on an effective mechanism for the integration and interlinkages of the work programmes of the three committees. Sufficient time should be allocated for the meetings of the committees, without overlaps with other important meetings at the UN. The HLPF could also have a **Bureau** comprised of members nominated by the UN regional groups.
- g. The HLPF should be a dedicated body or organ, with its own clear identity, and with the **ability to take decisions**. Other processes which do not take decisions or have its own dedicated body have faded or are ineffective (for example, Financing for Development does not have a dedicated UN body as it should). This should not happen to the HLPF.
4. The Rio+20 Outcome Document has decided that the HLPF would be a **universal body**. The issue of universal membership is a key aspect to consider when deciding where and how to eventually locate the HLPF (the General Assembly, ECOSOC, or a hybrid).
5. If **decision making** is central to HLPF, then universality implies that the HLPF will follow the rules of procedure of the General Assembly (GA). The preparatory process (for the high-level event) and the decision making process for other issues, must be under GA rules. Other aspects of the HLPF work that does not involve decision-making (for example, such as the sharing of experiences or consultations) can take place under the rules of procedure of ECOSOC.
6. Another issue to consider regarding the architecture and the placement of HLPF is that it should be established as a **dedicated body or organ**, with its own clear identity, and with the ability to take decisions. One of the strengths of the CSD is that it was a dedicated body (a UN Commission) with a recognisable identity and its own meetings, an inter-governmental structure that took decisions and a Secretariat servicing it.

In the UN experience, processes which do not take decisions or that do not have its own dedicated body have had a low profile, or have faded away, or are ineffective. This should not happen to the HLPF.

7. The **heads of state event** should be under the UNGA and could take place every two years or so. Ministers could meet in the years in-between and also at meetings that emerge from the regular work during the year, when important issues or developments demand such a Ministerial meeting of the Ministers from relevant departments.

Political leadership is also of significance, as the Rio+20 outcome states that the HLPF should “*provide political leadership, guidance and recommendations for sustainable development.*”

8. A framework of **principles** should guide the intergovernmental work and decisions of the HLPF. These principles should be derived directly from the Rio Principles of 1992 and the Rio+20 context. The HLPF itself is a creation of the Rio+20 outcome document, which mandates it to implement the sustainable development agenda from 1992 onward.

The Rio+20 outcome document has affirmed the validity and relevance of **Common But Differentiated Principle (CBDR)**, which is currently being omitted in the SDG template despite the repeated calls by developing countries that CBDR needs to guide the SDG outcome. CBDR, as well as other key principles of Rio, such as polluter pays and the precautionary principle, should formulate the guiding principles and operational framework of the HLPF. Indeed, the HLPF should be an institutional steward of the Rio principles.

9. The key development issues, including **Means of Implementation (MOI)**, should be given a priority place in the structures of the HLPF, as well as its meetings and its governance mechanisms for accountability and implementation. Working groups on finance and technology could be established, which should continue the work started by the Intergovernmental Committee of Experts on Sustainable Development Financing and by the technology working groups.

A scenario of SDG and Post-2015 development agenda outcomes where there are many obligations for developing countries to take on but inadequate provision of MOI is untenable, unsustainable and should be avoided. An enabling and supporting international environment as well as the alignment of systemic policies in developed countries to sustainable development is simply necessary in order to put words into action.

10. **Regional and national reviews** should also take place annually. The HLPF should also allocate adequate personnel, financial resources and advisory services for the promotion and enhancement of the institutional structures and policies at both national and regional levels.

The regional institutions, especially the UN regional commissions, should also play a leading role in supporting national efforts as well as holding regional meetings to promote regional analyses and activities. The national and regional activities should be informed by international-level processes, and in turn their outcomes should also input into the international-level meetings and processes.

11. **Stakeholders and international civil society** should be given substantive and consistent space to take part in various meetings, which should be open, transparent, inclusive and participatory.

The Rio+20 outcome mandates that the HLPF builds on the “inclusive participation modalities of the CSD” (para 84). It also mandates that the HLPF “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” (para 85 h). The implication is that the HLPF should inherit the CSD interaction modality and structures with the 9 major groups, and enhance these.

12. The HLPF should be the venue to discuss and decide on the **follow-up, review and implementation of the outcomes and commitments** of both the Sustainable Development Goals (SDGs) and the Post-2015 development agenda. It should also review and implement the outcomes of UN summits and conferences (from Rio 1992 to Rio+20) and their respective means of implementation.

As is now widely accepted, implementation and accountability of outcomes and commitments in the UN is a major weakness. The HLPF is thus an important opportunity to mobilise the required resources, time and mechanisms to make implementation and accountability truly effective.

13. HLPF should obtain **UN system support** through an effective inter agency mechanism.

14. Last but not least, the HLPF should be the institutional venue to **govern and hold accountable multi-stakeholder partnerships**, as well as private sector financing, for the Post-2015 development agenda and the SDG outcome.

Such a governance mechanism, housed within the HLPF, needs to develop a concrete set of criterion, applied *ex ante*, to determine whether a specific private sector actor is fit for a partnership in pursuit of the post-2015 goals. **A criterion-based accountability and governance framework should:** (a) facilitate ex-ante transparency of contracts and terms of reference within partnerships; (b) conduct oversight and regulation of partnerships; (c) carry out independent third-party monitoring and assessments of partnerships; and, (d) ensure regular reporting and communication from partnership initiatives, among other activities.

Such criteria should examine, at the least:

1. Whether the private actor has an evidence-based history or current status of abusing human rights or the environment, including in their cross-border activities;
2. Whether the private actor has a proven track record (or the potential to) deliver on sustainable development, as articulated by the UN outcome by 2015;
3. Whether the private actor has previous involvement in acts of corruption with government officials;
4. Whether the private actor is fully transparent in its financial reporting and ensures that it is respecting existing tax responsibilities in all countries it operates, and not undermining sustainable development through tax avoidance; and,
5. Any conflicts of interest in order to eliminate potential private donors whose activities are antithetical or contradictory to the UN Charter, the Universal Declaration on Human

Rights, and the SDG framework.

Annex: The future we want (Rio+20 outcome document)

High level political forum

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 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, Johannesburg Plan of Implementation, Barbados Programme of Action, Mauritius Strategy for Implementation and the outcome of this Conference and, as appropriate, relevant outcomes of other UN 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 UN Agencies, funds and programmes and invite to participate, as appropriate, other relevant multilateral financial and trade institutions, treaty bodies, within their respective mandates and in accordance with UN rules and provisions;
- (g) improve cooperation and coordination within the UN 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 learnt;
- (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 strengthen 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 high level forum's format and organizational aspects with the aim of convening the first high level forum at the beginning of the 68th session of the General 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.

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