

HOW TO ENGAGE WITH THE HIGH LEVEL POLITICAL FORUM (HLPF)

USER GUIDE



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INTRODUCTION

In September 2015 a set of global goals were agreed, intended to map out a path towards sustainable development over the next fifteen years. These sustainable development goals are intended to set an ambitious path for a more equitable global economy with a clearer social and environmental balance.

The UN has been engaged in sustainable development policies since the Brundtland Commission published its report named *Our Common Future* in 1987 and the subsequent UN Earth Summit in Rio in 1992 (Also known as The UN Conference on Environment and Development), but sustainable development was rarely given the recognition in policy-making that it deserved. This changed with the Rio+20 Conference in 2012. The Rio+20 Outcome Document, named “The Future We Want” positioned sustainable development as the backbone of all future development.

This has been further reiterated by the work carried out by the UN Open Working Group, whereby governments, representatives from civil society and the private sector contributed to further crafting this new agenda. After 18 months of deliberations, 17 sustainable development goals (SDGs) were agreed upon, in addition to 169 related targets. The SDGs were subsequently debated further and adopted under the title: “Transforming Our world: The 2030 Agenda for Sustainable Development.”

It was agreed at the United Nations that these goals should be subject to annual review and not only acceding to their own national plans but also by using the indicators to measure these reviews. In order to provide a space for this regular review to take place, in 2013 the Member States of the UN agreed to establish the High Level Political Forum (HLPF) which replaced the UN Commission on Sustainable Development (CSD) established at the UN Earth Summit in 1992.

The HLPF has been called the preeminent forum within the United Nations to work on sustainable development issues for the next fifteen years or so. It is also referred to as the home of the SDGs and the 2030 Agenda. This Forum is the ‘apex body’ at the UN to ensure monitoring, follow-up and review of the SDG commitments. It provides a forum to review progress across nation states and to connect policies within the UN system.

The HLPF accords NGOs the most far reaching participatory privileges and rights in the history of the UN. But how can civil society most effectively engage with this process? How does the UN enable voices to be heard from the people who are most directly affected by these policies?

WHAT IS THE HIGH LEVEL POLITICAL FORUM? AND HOW DID IT COME ABOUT?

The High Level Political Forum (HLPF) was formally established through UN General Assembly Resolution A/67/290 in July 2013. The UN 2030 Agenda for Sustainable Development states that it will have “the central role in overseeing follow-up and review (of the SDGs) at the global level.”

The HLPF is an institution of member states, therefore the primary focus is on how governments will commit to reviewing their commitments regarding implementation of the agenda on a ‘voluntary basis’. Moreover, there is a provision to ensure that UN bodies are enabled to work collaboratively with member states, as well as a reference to providing a “platform for partnerships, including through the participation of major groups and other stakeholders”.

Paragraph 8 states that “the forum, under the auspices of ECOSOC will conduct regular reviews, (specifies content) that:

- a. Will be voluntary, will include developed and developing countries, relevant United Nations entities;
- b. Will be State-led, involving ministerial and other relevant high-level participants;
- c. Will provide a platform for partnerships, including through the participation of major groups and other relevant stakeholders;
- d. Will replace the national voluntary presentations held in the context of the annual ministerial-level substantive reviews of the Economic and Social Council, building upon the relevant provisions of General Assembly resolution 61/16 as well as experiences and lessons learned in this context;
- e. While the primary function is to enable dialogue between member states, there is a clear recognition of the need for wider engagement with all relevant stakeholders in this agenda. Indeed, it has been suggested that this resolution provides some of the most far reaching participatory rights in the history of the UN.

According to the resolution, paragraph 15 states that:

“while retaining the intergovernmental character of the forum, the representatives of the major groups and other relevant stakeholders shall be allowed:

- 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, in cooperation with Member States and the Secretariat”

However for these engagement opportunities to be meaningful, they must be translated into functional ways of working. The operative modalities of HLPF are not yet fully agreed, and as with the HLPF’s predecessor, the UN Commission on Sustainable Development (CSD), some time will pass before the approach is fully implemented by member states.

1. KEY PARTICIPANTS: STAKEHOLDERS, NGOS AND CIVIL SOCIETY

The UN does in fact have quite a strong history of formal engagement with civil society, with the definition of a Non-Governmental Organisation (NGO) dating back to the founding of the UN. A number of key documents and resolutions deal with the role of NGOs at the UN in various contexts. The formative texts are:

- Article 71 of the Charter of the United Nations (1949): grants Non Governmental Organizations (NGOs) a legal position at the United Nations in accordance with the approval of the Committee of NGOs at ECOSOC.
- The ECOSOC resolution on “Consultative relations between the United Nations and nongovernmental organizations” (1996/31): outlines the quality criteria for the accreditation of NGOs to the UN, rules of procedure and participatory modalities at the UN.

So the notion of an NGO is very well established and it remains quite broad.

At the same time, in UN 2030 Sustainable Development agenda, there are frequent references to the engagement of ‘Major Groups and Other Stakeholders’. What does this refer to and how are they related to NGOs or broader civil society?

The term ‘major groups’ was adopted at the 1992 Earth Summit and aimed to summarise the key constituencies that were likely to be affected by sustainable development policies. First tested as a concept and used as a designation during the March 1992 preparatory meeting for the Rio 1992 conference, the nine major groups received their formal recognition in the outcome document from UNCED - Agenda 21. The nine named groups were: Women, Children and Youth, Farmers, Indigenous Peoples, NGOs, Workers and Trade Unions, Local Authorities, Science and Technological Community, Business and Industry.

However, when the UN GA adopted the resolution to organize the World Summit on Sustainable Development, WSSD, to take place in Johannesburg in South Africa in 2002, it used ‘stakeholder’ in another context. The resolution¹ states that:

“Welcoming national preparations for the Summit, including those at the local level, through the establishment of preparatory committees, with the participation of Governments *and other stakeholders*, the undertaking of national assessments and the initiation of other preparatory activities, encouraging all countries to intensify that work, and calling upon the United Nations system to support such activities,

Welcoming also the activities of major groups related to the preparations for the Summit, and encouraging them to carry out further preparatory activities ...”

To date the word ‘stakeholder’ has no formal recognition or legal standing within the UN system. A stakeholder is a generic name for anyone with an interest in something. The Concise Oxford Dictionary gives the following definition: “Stakeholder: a person with an interest or concern in something.” A ‘stakeholder’ is accordingly a non specific and generic concept, which for understanding or precision is entirely dependent on context.

Most definitions of societal actors today (by aid agencies, the World Bank, OECD, etc) speak of three key stakeholders: government and its authorities and elected/appointed members; the market with private sector interests; civil society and all its different formations. The conceptualisation and subsequent agreement of the Nine Major Groups which found its formal recognition in the 1992 as decided by Agenda 21, reflects this political reality. Agreeing on the nine major group concept was the result of combined efforts that took two to three years, by the global non-governmental community and the UN with support of UN member states, and allowed a bigger space for the various actors with an interest in global politics to enter into the UN while respecting and being in conformity with Article 71 of the Charter. The concept also respects the division and different roles between civil society, the market and governments.

1. Resolution 56/226 ‘World Summit on Sustainable Development’ adopted by the General Assembly on the report of the Second Committee (A/56/561/Add.1)

Both the Rio+20 Outcome Document and the HLPF resolution 67/290 frequently use the term stakeholders. However, the concept is always contextualised, and always in connection with either major groups or with the non-governmental community and often given a specific context by adding ‘civil society’ or the ‘private sector’. Neither of these two concepts is given a formal standing within UN documents, though both groups are often referred to as representing ‘stakeholders’.²

2. HOW ENGAGEMENT IS DEFINED THROUGH THE MAJOR GROUPS AND OTHER STAKEHOLDERS (MGOS)

As has been set out above, Agenda 21(1992) established the nine major groups of stakeholders to enable structured dialogue and to reflect the growing interest and expressed desire of non-state actors to participate in matters of sustainable development, at local, national, regional and global level, these original groups are:

- Women;
- Children and Youth;
- Indigenous Peoples;
- NGOs;
- Local Authorities;
- Workers and Trade Unions;
- Business and Industry;
- Scientific and Technological Community;
- Farmers

Furthermore the Rio Outcome Document (2012), “the Future We Want”: placed an emphasis on integrating major groups and stakeholders into all activities on future global sustainable development, including the Sustainable Development Goals (SDGs), and it included some additional named stakeholder groups, specifically:

- Older Persons;
- Local communities;
- Migrants and families

UN GA Resolution A/67/290 established the High Level Political Forum for Sustainable development and it re-emphasised the role of major groups and other stakeholders, in paragraph 16, it set out further named groups to include:

“the major groups identified in Agenda 21 and other stakeholders such as **private philanthropic organizations, educational and academic entities, persons with disabilities, volunteer groups and other stakeholders** active in areas related to sustainable development”

Furthermore it empowers these participants to define themselves in light of the changing global context to ensure wide engagement and sets out that they can:

“autonomously establish and maintain effective coordination mechanisms for participation in the high-level political forum and for actions derived from that participation at the global, regional

2. UN documents refer to other elements than legal/formal elements. Paragraph 1 of the Rio+20 Outcome Document refers only to the full engagement of ‘civil society’ but the gist of the Vision Chapter expands the group of non-state actors in paragraph 13 by adding the private sector.

and national levels, in a way that ensures effective, broad and balanced participation by region and by type of organization”

Following the resolution, a format for this autonomous coordination has been developed by a working group of the Major Groups and other Stakeholders in collaboration with the UN Department for Economic & Social Affairs, Division for Sustainable Development (UNDESA- DSD).

The working group has set out a clear Terms of Reference for the establishment of a ‘MGoS HLPF Coordination Mechanism’ to include a Steering Group that aims to ensure inclusive participation from across all these different constituencies, in order to enable them to play a central role in setting the terms of engagement.

This Terms of Reference also includes a further innovation in that it explicitly leaves open space for additional groups to be added based on needs and clearly identified constituencies.

The HLPF is still being defined and it currently has very limited secretariat support. Previous coordination has relied upon a specific secretariat and it would be beneficial for the UN to allocate specific support to enable this engagement to be meaningful and provide useful input to the member state dialogue.

According to paragraphs 29 of the resolution (67/290), the modalities of the HLPF will be subject to a thorough review. The paragraph states that the UN GA: “... further decides to review at its seventy-third session (2018) the format and the organizational aspects of the forum, unless otherwise decided;” where additional provisions may be added, perhaps as an annex by the 2018 review.

BOX 1.

The major groups -a formally accepted way to access the UN

First tested as a concept and used as a designation during the March 1992 preparatory meeting for the Rio 1992 conference, the nine major groups received their formal recognition in the outcome document from UNCED - Agenda 21. The nine are: Women, Children and Youth, Farmers, Indigenous Peoples, NGOs, Workers and Trade Unions, Local Authorities, Science and Technological Community, Business and Industry.³

But a quick look at the construct of the nine major group system will reveal a number of apparent paradoxes: Of the nine major groups, five obviously belong to the so-called NGO group (Women, Youth, Farmers, Indigenous Peoples, NGOs), and are by many seen as ‘the true NGOs’ and interpreted as being synonymous with civil society. In addition, the NGO major group itself seems to involve all the others thus making this group almost semantically redundant. There are also other issues. The sheer size and political position of the Trade Unions will set them apart from the traditional NGO/civil society community, but as an institution they are clearly organised as a non-governmental body. One of the nine also represents local authorities and should per definition not be seen as an NGO. Local Authorities clearly represent elected local governments, and as many have pointed out, many mayors representing huge urban conglomerations have a larger constituency behind them than do several state leaders. Science and Technology may be NGO-related but as they most often represent universities, or pure research institutions, they cannot be qualified as NGOs. Many are also associated with the private sector and these are not organised as NGOs either. And questions have been raised about the Business and Industry major group asking if they are not synonymous with big companies and as such the market? And the market is definitely not civil society.

The major group system became the organisational and procedural sword to sever this Gordian Knot. The nine defined major groups were, and are, organised through bona fide NGO constructs thus answering to the basic quality demands of Article 71 of the Charter including the NGO definitions held by ECOSOC. To understand the elegance of the major group solution, it is important to divest the NGO concept of its synonymous interpretation as and with civil society.

NGOs cannot be seen or understood to be only synonymous with civil society. The abbreviation NGO

3. Chapter 23 in Agenda 21 recognised by the UN GA resolution A/RES/47/190, in December 1992

stands for a non-governmental organisation. An increasing number of reports and studies now make a new distinction by referring to the NGO group as non-state actors. This may be an effort to allow the NGO concept still to be -- in many contexts -- synonymous with civil society. But this is not what it was intended to be in 1945, and which it in reality still is - non-governmental organisations, i.e. organisations outside of the realm of governments. All nine major groups are organised as NGOs, and interrelate with the UN GA system through these NGO constructs.

A number of people have sought to help the definition along by also pointing out that the market is not the same as business and industry, and this major group is represented through their own interest groups such as, the World Business Council on Sustainable Development, the WBCSD, or the International Chamber of Commerce, the ICC -- both non-governmental organisations in their own rights. Local authorities and science and technology also fall in such a category. UN Habitat is the only UN body which through its mandate allows representation in their general assembly by representatives from municipalities. But under the major group system, local authorities were represented at the Commission on Sustainable Development (CSD) and in the Rio 20 process through either International Council for Local Environmental Initiatives (ICLEI) or United Cities and Local Governments (UCLG) and the Network of Regional Governments for Sustainable Development, (nrg4SD), all non-governmental organisations representing local government interests. The scientific and technological community has primarily been organised through International Council for Science, (ICSU) and the World Federation of Engineers, (WEFO) and the interests of workers and trade unions through the International Trade Union Confederation, ITUC, also a non-governmental organisational structures.

As has been stated time and again, the major group system was not set up to be representative of certain interest groups or to be gatekeepers to the exclusion of others, but to function as a vehicle through which all representatives of non-governmental interest groups could access the United Nations family serving under the UNGA/ECOSOC system while respecting the Articles and spirit of the Charter and thus the intergovernmental nature of these UN bodies.

3.HOW TO ENGAGE WITH THE UN PROCESS THROUGH THE HLPF

Within this process, there are therefore a series of key ways to engage with the official dialogue.

As set out above the HLPF resolution 67/290 includes the following key rights for Major Groups and other Stakeholders:

- 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, in cooperation with Member States and the Secretariat

So let's consider what these participation rights mean in practice:

3.1 Accreditation

All non-governmental organisations that have a proven, explicit and substantiated interest in sustainable development and have worked on such issues for a reasonable period of time should be afforded accreditation to HLPF meeting and conferences. Accreditation should be subject to normal UN procedure, either by accreditation to ECOSOC or DPI, or by being given 'fast track accreditation' subject to approval of the HLPF on the recommendation by the Division of Sustainable Development in (DESA-DSD).

3.2 Access and attendance

Access and attendance to all meetings must be granted according to Paragraph 15⁴ - except to meetings designated as 'closed'.

This means that all accredited organisations shall be allowed to be present on the 'floor', and be allowed to sit in on all meetings, observe, take notes and informally speak with delegates irrespective of the designated status of the meeting.

Should pre-existing rules or seating arrangements pertaining to areas of the UN building prevent such mobility, movement and access, as for instance applies to the Chambers of the Trusteeship Council or ECOSOC, such rules should be suspended during the HLPF sessions to allow ease of access for all accredited members of major groups, NGOs or other stakeholders. Should this prove impossible, all HLPF sessions and meetings should be held in areas of the UN that allow for such access, as was the case during two decades of meetings of the CSD (1992-2012) and during the entire preparatory process leading up to and through the Rio+20 process, including the UN Conference on Sustainable Development in Rio in 2012.

3.3 Access to all documents, including background documents and outcome documents

In line with Paragraph 15, all official UN documents with relevance to the current HLPF process shall be made available to all members of MGoS during the meetings, its preparatory phase and during the follow up phase. MGoS should be given negotiating texts as they evolve during the HLPF meetings.

3.4 Making oral statements and comments in plenary sessions of the HLPF

In line with Paragraph 15, MGoS representatives shall be allowed to make different interventions and specific verbal comments to official documents in plenary sessions as well as opening and closing statements at the beginning and at the close of each HLPF meeting. These activities should include:

- 3.4.1 A three minute opening statement on the first day of the HLPF meeting based on the substance of a prepared background paper written by each of the Major Groups and other Stakeholders (see below) specifically focussed on the theme of the agenda;
- 3.4.2 A three minute closing statement at the end of the HLPF meeting;
- 3.4.3 Active and major roles in multistakeholder dialogues including organization and choosing of potential panelists;
- 3.4.4 Inclusion of MGoS' representatives to sit on panels addressing the plenary audiences when such panels are envisaged by the organization of work. In line with Paragraph 16 espousing the principle of self organisation, these representatives must be selected by the MGoS HLPF Steering Group themselves;
- 3.4.5 Allocation of time to MGoS during any of the HLPF plenaries to ask questions or comment on the ongoing deliberations. To be allowed to use an entry point, a speaker, identified by the MGoS HLPF Steering Group, would have to identify himself/herself and identify the comment/question on a Request Slip.⁵
- 3.4.6 The MGoS should be invited to speak during sessions, interspersed with Member States and representatives of the UN system and not only be given the floor for concluding statements at the close of the sessions.
- 3.4.7 Interventions made during these sessions must be brief and in accordance with time also allotted member states (2-3 minutes max).

4. All paragraph references here are to the HLPF resolution - A/67/290 "Format and organizational aspects of the high-level political forum on sustainable development"

5. A "Request Slip" is a piece of paper on which participants would briefly define the issue or question to be addressed, hand it to members of the HLPF secretariat who in turn would give the slips of paper to the Chair or to members of his or her staff, and advise the Chair to call upon the specific representative to speak. The information contained in the request slip would also include: name, title, to what organization and MGoS does the speaker belong, in addition to the question/theme to comment.

- 3.4.8** The identification of speakers among the MGoS will be coordinated through the Steering Group and the caucuses of each major group and other stakeholder, and should be communicated to the Secretariat the day prior to the session.

3.5 Making timely interventions during “the deliberations resulting in a concise negotiated political declaration as well as during the deliberations resulting in a negotiated ministerial declaration”

Further in line with 67/290, Paragraph 15, in order to respect the intergovernmental nature of negotiations and allow their interventions to provide effective input to the HLPF outcome documents, the MGoS should be given the opportunity to present their comments and concerns on the Chair’s text at the beginning of an official plenary session. Consistent with the practice developed at CSD 13 and accepted by member states as modalities, and used from 2005 to 2010, designated representatives from the MGoS should be allowed a three minute statement in plenary to comment on the Chair’s text at the very beginning of the plenary session, before the negotiations have started. As was the case at CSD, the comments would be considered to be statements by the major groups, and not arguments in a governmental negotiation. These statements should also be annexed to the report from each of the HLPF sessions.

3.6 Producing and presenting written documents

Also in line with paragraphs 15, each of the MGoS are tasked with researching, writing and developing a background document on the HLPF agenda themes. As was the case with the Commission on Sustainable development and beginning in 2015 with the HLPF, these documents must be finished and handed in to the HLPF secretariat by a defined date well in time before the beginning of the annual HLPF meeting.

The HLPF secretariat translates these documents into all official UN languages, to be sent to the UN Member States as official UN documents and as an integrated element of the background papers sent all delegates for the upcoming HLPF sessions.

Continuing to use CSD as a precedent, any of the accredited NGOs or members of MGoS to HLPF are also allowed to produce their own background or position paper on the agenda themes, and provided they reach the HLPF secretariat before a set deadline, the secretariat provides these papers to all UN Member States through the UN Sustainable Development Knowledge Platform. These documents would however remain unedited and available only in the language in which they were originally written.

As with CSD, and in accordance with paragraph 83 of the 2015 Summit Document⁶, a Secretary General’s report on the SDGs will be written as a major official background document for the HLPF sessions. As with CSD, all accredited and interested NGOs are invited to contribute to this report.

3.7 The Global Sustainable Development Report, the GSDR

This document is proposed to be the UN Flagship report on world-wide progress on sustainable development. The global NGO community and MGoS, have access to parts of society that for many reasons remain closed to governments and the UN. As such they can provide relevant and significant information to this report. The non-state actors are invited to engage actively in providing this information and be given space in the future GSDRs.

3.8 Organizing side events, round tables, etc. in cooperation with Member States and the HLPF Secretariat

The HLPF process allows for the organization of a multitude of parallel events. The purpose of these activities will be to heighten the factual input into the HLPF deliberations. In line with Paragraph 15, major groups and other stakeholders should all be invited to participate as actively as possible, to

- a) Organise their own side events, utilizing the principle of self organisation (as expressed in paragraph 16);
- b) Participate in side events organized by Member States, UN system and all other participants in the HLPF;

6. Transforming our world: the 2030 Agenda for Sustainable Development, see: http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E

- c) Participate in a daily MGoS morning information meeting⁷;
- d) Participate in the special policy sessions for each major group and other stakeholder groups;
- e) The HLPF secretariat should organise regular meetings between the President of the General Assembly/President of ECOSOC and the MGoS.
- f) The President of the General Assembly/President of ECOSOC, if invited by the MGoS should come and address the morning information meeting;
- g) Regional groups of Member States should also be encouraged to meet with key representatives from the major groups and other stakeholders (such as the EU, the US & USCANZ/ JUSSCANNZ, and G-77 & China)⁸.
- h) To upgrade the importance and relevance of the side events, the HLPF secretariat should regulate the number of side events with a keen eye to relevance and content. The individual organisers should be responsible for a succinct report from the side event, and a template should be developed by the HLPF secretariat to systematise the reporting from the side events.
- i) Representatives of MGoS with expert competence on the issues under discussion should be selected by the MGoS HLPF Steering Group to participate in organised, high level or Ministerial roundtables. Roundtables could also be organised and conducted as special events in advance of the HLPF, as is done at UNEP/UNEA, under strict procedural rules where the Chatham House Rule⁹ is invoked. With no audience present, all participants, Ministers, ambassadors, regular delegates and major group representatives would be free to speak their mind on the designated theme. The reports from these roundtables should be written only to reflect the highlights of the discussion and fed into the larger negotiating processes being conducted in plenaries.
- j) A system should be devised so that it would no longer be mandatory that a side event organised by a major group would need an official country sponsor to organise such an event

3.9 Participation in regional meetings

In line with Paragraph 15 and Paragraph 13, Regional UN Commissions and regional meetings should always allow participation of regional MGoS by employing modalities that are as accessible or even more inclusive than those used at the UN Headquarters in New York, as outlined here.

3.10 Funding should be made available to an increasing number of MGoS representatives

As funding is no longer explicitly concentrated to funding just representatives from developing nations, according to Paragraph 24, MGoS representatives selected to receive complete or partial financial support,

- a) should be selected with a just consideration for geographical and gender representation;
- b) and the selection process should be the responsibility of the MGoS HLPF Steering Group collaboration with the stakeholder engagement coordinator at the HLPF secretariat.

7. These meetings, organised every morning during CSD including the IPM, were open to all major group representatives

8. USCANZ The USA, Canada, Australia and New Zealand; JUSSCANNZ Japan, the USA, Switzerland, Canada, Australia, Norway and New Zealand, Israel, Island, Russian Federation, Liechtenstein as well.

9. The Chatham House Rule reads as follows:

“When a meeting, or part thereof, is held under the Chatham House Rule, (there is only one!) participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.” The world-famous Chatham House Rule may be invoked at meetings to encourage openness and the sharing of information. It is now used throughout the world as an aid to free discussion and to guarantee the anonymity of the speakers.

3.11 Self-organizing processes of participation

The selection of representatives of MGoS to, inter alia, present statements, make interventions or participate in panels should be the responsibility of the MGoS HLPF Steering Group in collaboration with the major groups coordinator at the HLPF secretariat.

3.12 Science based approaches

In line with paragraph 20, and recognising the fact that many well established members of the MGoS constituencies as well as the NGO community, have large research and science units and capacities and also conduct research on the three dimensions of sustainable development, the MGoS should be well integrated into the science-based elements of the HLPF as well as the Technology Facilitation Mechanism and invited to contribute to the “ ... enhancing evidence-based decision-making at all levels and contributing to the strengthening of ongoing capacity-building for data collection and analysis in developing countries ...”¹⁰

3.13 Reviews

In line with Paragraph 8 MGoS are given an important role in contributing to reviews at all levels. As with the science approach, all major groups have among their global constituencies representatives well versed in the art of reviews at local, national, regional and global level. As such reviews could be conducted in a myriad of ways - it is important that the HLPF secretariat, with relevant bodies of the UN with expertise in monitoring and reviews, develop templates for reviews. Major groups could contribute to official reviews, but can also conduct their own reviews, as so-called “shadow reporting”. These reviews could be part of the written documentation that MGoS are asked to produce for the HLPF.

3.14 Agenda setting

In line with Paragraphs 18 and 22 the major groups and other stakeholders should be invited to propose items and comment on the upcoming agenda for the HLPF sessions. MGoS networks and their constituencies, often reaching elements of a national population that may be difficult for representatives of governments to reach, will be well placed to detect and identify emerging issues. As such these and similar issues should be brought to the attention of the HLPF member states and the convening bodies, and form part of the agenda of the HLPF sessions.

3.15 No regression

The Rio+20 outcome document incorporates the principle of no regression. The principle of non-regression is an international law principle utilized by Human Rights specialists requiring that norms which have already been adopted by States must not be revised, if this implies retreating from advanced positions on the protection of collective and individual rights.

This principle should be used when developing modalities throughout the United Nations for participation in the HLPF and the 2030 Agenda for Sustainable Development.

3.16 A final option for the stakeholder community

A final option for MGoS could be to lobby for strengthening the structure and decision making process of the HLPF. HLPF is at present lacking in organizational strength and consistency. As a new construct in the undefined landscape between the UNGA and ECOSOC, two of the most important and politically powerful Charter Body institutions, HLPF’s legal framework is subject to interpretation.

An institution entrusted with creating a sustainable future cannot afford to have a weak governance structure. It needs to be provided with a bureau and it needs a strong secretariat. Unlike its predecessor the CSD, the HLPF currently does not have a bureau and the GA resolution makes only a cursory reference to secretarial support.

10. These meetings, organised every morning during CSD including the IPM, were open to all major group representatives

Member States can rectify these weaknesses and still be consistent with the present UNGA resolution 67/290 on the HLPF. Paragraph 29 of this resolution states that the UNGA “*Decides to review the format and the organizational aspects of the forum at its seventy-third session, unless otherwise decided.*”

Referencing paragraph 29, Member States could establish a bureau or at a minimum a steering committee to strengthen the governance structure of HLPF. Likewise they could bolster the position of its secretariat, thereby empowering HLPF to gain an autonomous position within the UN hierarchy.

Box 2

A simple breakdown of rights accorded major groups and relevant stakeholders in HLPF

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 24.¹¹ The following gives a summary overview of the content in these paragraphs in relationship to the major groups of stakeholders. It should be noted that the majority of the participatory rights granted major groups with reference to their HLPF paragraphs have been in operation in various organisational contexts in the UN system since 1992.

Paragraph 8 states that “the forum, under the auspices of ECOSOC will conduct regular reviews, (specifies content) that:

- a) Will be voluntary, will include developed and developing countries, relevant United Nations entities;
- b) Will be State-led, involving ministerial and other relevant high-level participants;
- c) Will provide a platform for partnerships, including through the participation of major groups and other relevant stakeholders;
- d) Will replace the national voluntary presentations held in the context of the annual ministerial-level substantive reviews of the Economic and Social Council, building upon the relevant provisions of General Assembly resolution 61/16 as well as experiences and lessons learned in this context;

It must be noted however, that the NGO community has been invited time and again throughout the history of the UN to participate in review sessions, and tracing the development of modalities from CSD, major groups were often invited to intervene in the official plenary sessions on the results of reviews according to a particular set of modalities.

Paragraph 10 - states: “Underlines that the arrangement established by the Economic and Social Council for the Commission on Sustainable Development in Council decision 1995/201 of 8 February 1995 will apply to the meetings of the forum held under the auspices of the Council, and that the arrangements established by the General Assembly in the annex to its resolution 65/276 of 3 May 2011 will apply to the meetings of the forum held under the auspices of the Assembly;”

1995/201 is a Reference Document on the participation of civil society in United Nations conferences and special sessions of the General Assembly during the 1990s. The UN official search engine gives the researcher “Version 19 November 2002 Prepared by the Office of the President of the Millennium Assembly 55th session of the United Nations General Assembly.” This is an overview of all participatory rights NGOs accumulated throughout the 1990s (the first overview assembled in 1995) and which formally came to direct and heavily influence the development of modalities for CSD. This again has advised the HLPF and the privileges awarded major groups and NGOs expressed in that resolution.

11. For the full text of the HLPF resolution A/67/290, see: http://www.un.org/depts/dhl/resguide/r67_en.shtml

Paragraph 13 is on regional commissions and regional meetings involving major groups;

Paragraph 14 states that “while retaining the intergovernmental nature of discussions, and in this regard decides that the forum will be open to the major groups, other relevant stakeholders and entities having received a standing invitation to participate as observers in the General Assembly, building on ... CSD”

Paragraph 15 is the key paragraph concerning the rights of major groups and other relevant stakeholders:

“ ... while retaining the intergovernmental character of the forum, major groups, other relevant stakeholders will be allowed:

- 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, in cooperation with Member States and the Secretariat of the United Nations;”

Paragraph 16 is about the right to self-organise and include other stakeholder groups, and contains a challenge to the major groups to make sure the process is accountable, fair and transparent;

Paragraph 22 is another important paragraph, which also allows major groups to become part of the agenda setting process of the HLPF. The paragraph is quoted in its entirety:

“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;”

Paragraph 22 through requesting the Presidents of the UNGA and of ECOSOC, shall “ ... 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 to contribute to agenda-setting of the forum. This can be organised in a systematic way, by inviting the nine major groups to analyse 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 harmonise with the crucially important words “under the auspices of” referred to in paragraphs 3, 6 and 7 of the HLPF resolution.

Paragraph 24 is about helping to fund representatives from major groups irrespective of their country of origin. The text in paragraph 24 states, inter alia: “ ... a voluntary trust fund of the forum in order to facilitate the participation of developing countries, the least developed countries, representatives of major groups and other relevant stakeholders ... “.

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MORE INFORMATION

If you are interested in getting to know this process and to engage with the key opportunities described, you can start by reviewing the following websites:

UN DESA Sustainable Development Knowledge Platform: <https://sustainabledevelopment.un.org/>

Action for Sustainable Development: <http://action4sd.org/>

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