SWP Research Paper
Stiftung Wissenschaft und Politik
German Institute for International
and Security Affairs

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Reviewing the Post-2015 Sustainable Development Goals and Partnerships

A Proposal for a Multi-level Review at the High-level Political Forum

RP 1
January 2015
Berlin

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ISSN 1863-1053

Translation by
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(Updated English version of
SWP-Studie 16/2014)

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Parts of this SWP Research Paper have been written in the context of the research project "Transnational Partnerships for Sustainable Development". From 2014–2017, the project will investigate whether and how lessons learned about the conditions affecting the success and impact of partnerships for sustainable development influence future partnership (meta-) governance at the national, transnational, and UN levels. Funded by the German Research Foundation (DFG), this project forms part of the Research Center SFB 700 on "Governance in Areas of Limited Statehood" (see www.sfb-governance.de/ppp).

Latest publications

Marianne Beisheim and Andrea Liese (Eds.) 2014
Transnational Partnerships: Effectively Providing for Sustainable Development?
Basingstoke et al.: Palgrave Macmillan.

Marianne Beisheim, Andrea Liese, Hannah Janetschek, and Johanna Sarre 2014
Transnational Partnerships: Conditions for Successful Service Provision in Areas of Limited Statehood
in *Governance* (Special Issue on External Actors, State-Building, and Service Provision in Areas of Limited Statehood), 27 (4), 655–73.

Reviewing the Post-2015 Sustainable Development Goals and Partnerships
A Proposal for a Multi-level Review at the High-level Political Forum

In September 2015, the heads of state and government of the United Nations (UN) Member States are scheduled to decide on the Post-2015 agenda. This is to include not only a list of universal Sustainable Development Goals (SDGs) but also a mechanism for monitoring and review. What would the review mechanism have to look like to contribute to the implementation of sustainable development?

Up to now, the UN has had almost no means at its disposal to effectively motivate or urge Member States to implement sustainable development measures. In the case of the Millennium Development Goals (MDGs, deadline 2015), for example, the UN mainly utilized procedures for data collection and monitoring. The Annual Ministerial Review (AMR), introduced in 2005, was celebrated as an important achievement, but is in reality a rather weak instrument.

The High-Level Political Forum on Sustainable Development (HLPF) was launched in July 2013 to provide political leadership and guidance, and to work towards a global transformation to sustainable development. But how should it go about actually playing this role? An important element of its work will be the *review mechanism* envisioned under the HLPF mandate, which is set to replace the AMR starting in 2016.

A review process builds on and goes beyond monitoring and data collection. In this framework, the governments are asked critical, analytical questions to determine the reasons for their successes and failures and to recommend measures needed to improve goal attainment in the future. In recent years, international policy has been making increased use of reviews to further the realization of internationally agreed policy goals on the national level. What the planned review mechanism of the HLPF will look like in detail has not yet been decided. The review process has been the subject of dialogue in the General Assembly (GA) twice in 2014 and was also discussed at the annual meeting of the HLPF in early July. Moreover, there have been a few informal meetings on the subject.

The present study examines the debate taking place over the review process, highlights the positions of selected key actors, discusses criteria for designing a

review, applies these to analyze and assess existing review systems. Finally, it develops specific proposals for a universal, state-led, participatory, multi-level "Commit and Review" process that could serve as a central component of the follow-up process for the Post-2015 goals.

Why we should start thinking about it *now*

It is important to start thinking about the follow-up to the Post-2015 agenda and goals *now*. Not only could the review process contribute to the more consistent implementation of the global sustainable development goals in the future: If it is designed wisely, it can also help to overcome major deadlocks in negotiations over the Post-2015 agenda between North and South, which are likely to continue up to September 2015. What are the sticking points? First, there is disagreement among donor countries, developing countries, and newly industrialized countries over the level of funding needed to achieve the agreed goals and over the principle of common but differentiated responsibilities (CBDR). Second, Member States are interested in finding a way to differentiate and translate the global Post-2015 goals into national-level targets in such a way that individual national conditions, priorities, and capacities are adequately taken into account. The proposed review process could address both problems; instead of a one-size-fits-all approach, it could provide a tailored solution for the particular country in question—whether it is a developing, newly industrialized, or industrialized country. The review could thus play an important role in the institutional reforms that are needed to deal constructively with the shifts in power between North and South.

To promote the creation of an effective HLPF review mechanism, *Germany* should volunteer to go through the first round of the review process in 2016. International expectations are high regarding Germany's potential to lead the way with innovations in the area of sustainable development. The German government could use the review process as an occasion to show what transformative measures it is undertaking to achieve the Post-2015 goals at home and worldwide, as well as what opportunities and challenges this entails. The German Sustainable Development Strategy is already scheduled for a regular revision by 2016—that provides a good basis to present it in the first review cycle. Not least of all, the German government should elucidate how it plans to fulfill its commitments to provide for means of implementation in the context of its development cooperation.

Such a positive and proactive contribution, if set within the framework of the review mechanism proposed here, could foster mutual trust, help to build the much-vaunted Global Partnership for Sustainable Development, and create new momentum for multilateral action.

Sustainable Development: Changes at the United Nations Level

Starting point: Deficits in implementation

When the participants in the Rio+20 Conference on Sustainable Development (UNCSD) agreed on the outcome document entitled *The Future We Want*,[1] many commentators warned that it would only prove valuable if the reform processes it proposed were actually implemented. Undeniably, *deficits in implementation* represent the biggest problem the UN faces in the area of sustainable development.

Already in 1987, the report *Our Common Future* of the World Commission on Environment and Development, a body created by the UN in 1983 under the direction of Gro Harlem Brundtland, introduced the concept of *sustainable development*. This was conceived as a form of development that "meets the needs of the present without compromising the ability of future generations to meet their own needs" and shape their own lives.[2] The report recommended harmonizing economic growth, social development, and environmental protection by means of integrated policy strategies. In 1992, the heads of state and government convened in Rio de Janeiro for the first "Earth Summit," the United Nations Conference on Environment and Development (UNCED). The goal of this conference was to translate the concept of sustainable development into an agenda for political action. Among other key documents, the first Rio Conference adopted *Agenda 21*, which formulated recommendations for action and introduced financial, technical, and other instruments of implementation. In addition, Agenda 21 designated nine key social groups (the Major Groups) that would contribute to the realization of this action program. Parallel to this, the participants adopted the non-binding *Rio Declaration on Environment and Development* specifying 27 principles of sustainable development, such as the precautionary and polluter pays principles, and the principle of "common but differentiated responsibilities" (CBDR). These principles subsequently influenced not only the continued negotiations but also many national policies. The Rio Declaration also affirmed the sovereign right of states to "exploit their own resources pursuant to their own environmental and developmental policies"—a right that still today is tenaciously asserted by many UN Member States.

The UN created the Commission on Sustainable Development (CSD) in December 1992 with the mandate to both advance and monitor the implementation of the Rio commitments. It achieved this task, however, only to a limited extent. For this reason, the issue of how to improve the implementation of the Rio decisions was made an explicit focus of the 2002 World Summit on Sustainable Development (WSSD) in Johannesburg. Yet from the outset, the summit was severely overshadowed by concerns related to increasing international economic competition related to globalization processes, and the terrorist attacks of September 11, 2001, and Member States showed little willingness to step up their sustainable development efforts. The outcome document adopted there—the *Johannesburg Plan of Implementation* (JPoI)—fell far below the expectations of many conference participants. Proposals for a ten-year program to promote sustainable consumption and production patterns were welcomed, as was the comparatively concrete formulation of the *Millennium Development Goals* (MDGs). The idea that all countries should develop national sustainable development strategies (NSDS) was also well-received. Germany submitted its own NSDS that same year.[3] Overall, however, the JPoI was criticized for the non-binding nature of the agreed measures, its lack of financial commitments, and the absence of appropriate monitoring mechanisms.

For this reason, at the Rio+20 Conference in 2012, the discussion still focused largely on the implementation of sustainable development policies up to that point and the potential to improve implementation in the future. Consequently, the conference not only adopted resolutions on instruments for a sustainable economy (the "Green Economy" approach) and on

1 United Nations General Assembly (UNGA), *The Future We Want*, UN-Doc. A/Res/66/288 (New York, September 2012).
2 World Commission on Environment and Development (WCED), *Our Common Future* (Oxford, 1987), 43.
3 German Federal Press Office, *10 Jahre Nachhaltigkeit "made in Germany." Die Nationale Strategie für eine nachhaltige Entwicklung* (Berlin, 2012).

reforms to the institutional framework for sustainable development, but also approved a joint proposal put forward by the governments of Colombia and Guatemala to formulate a catalog of global Sustainable Development Goals (SDGs).[4] In September 2013, the UN General Assembly decided to merge the follow-up process on the Rio+20 Conference with the MDG follow-up process, defining the Post-2015 development agenda. In July 2014, an intergovernmental open working group (OWG), mandated by the General Assembly, presented its report with a proposal for 17 SDGs and 169 targets.[5] In September 2014, the General Assembly decided that this proposal "shall be the main basis for integrating sustainable development goals into the Post-2015 development agenda". On December 4th 2014, the UN Secretary-General presented his Synthesis Report on the Post-2015 agenda.[6] It confirms the OWG's proposal on SDGs and is the result of numerous consultations and other key reports, including the report of the Intergovernmental Committee of Experts on Sustainable Development Financing (ICESDF) and the report of the Independent Expert Advisory Group on the Data Revolution for Sustainable Development (IEAG).

The final round of intergovernmental negotiations on the Post-2015 Agenda starts in January 2015. In September 2015, the UN General Assembly is expected to adopt the Post-2015 Agenda. In contrast to the MDGs, the Post-2015 Agenda will be a universal agenda; the SDGs will apply to all countries and focus on transformative change. While poverty eradication is still at the heart of the agenda, the current proposal for SDGs also covers issues such as the protection of ecosystems, sustainable consumption and production patterns, peace and governance, as well as inequality within and among countries. An agenda as broad as this one implies challenges for national-level implementation, measurement, monitoring, and accountability. Accordingly, in mid-December 2014, Member States agreed that the Post-2015 Agenda should have four building blocks: (a) a declaration; (b) sustainable development goals and targets; (c) a global partnership for sustainable development to mobilize the means of implementation; and, last but not least, (d) a section on follow-up and review.

Overall, these UN conferences have adopted solid resolutions and some have even resulted in written, concrete action programs. What has eluded the UN thus far, however, are effective means and instruments to effectively promote the implementation of these statements of intent at the national level.[7]

The Future Review at the High-Level Political Forum on Sustainable Development

It was in this context that the decision was made in June 2012 at the Rio+20 Conference to create a High-Level Political Forum on Sustainable Development (HLPF). The HLPF replaced the CSD and is designed to mainstream and strengthen sustainable development issues in the institutional structure of the UN. It convened for the first time in September 2013 and will meet annually at the ministerial level under the auspices of the *Economic and Social Council* (ECOSOC). To enhance the political stature of the forum, it will also be convened every four years for a period of two days at the level of the heads of state and government under the auspices of the General Assembly. In contrast to the CSD, the HLPF has universal membership, which means that all Member States in the UN and in its specialized agencies can participate.

According to its mandate, the HLPF is to provide "political leadership, guidance and recommendations" and to "follow up and review progress in the implementation of sustainable development commitments."[8] But how should it go about actually playing this role—and how can it do so more effectively than the CSD, which was criticized as a toothless body and a "talk shop"[9]? An important element of its work will be the

4 On the outcomes of this conference see Marianne Beisheim, Birgit Lode, and Nils Simon, *Rio+20 Realpolitik and its Implications for "The Future We Want,"* SWP Comments 39/2012 (Berlin: Stiftung Wissenschaft und Politik, July 2012).

5 *Proposal of the Open Working Group for Sustainable Development Goals*, 19 July 2014, http://sustainabledevelopment.un.org/content/documents/4518SDGs_FINAL_Proposal%20of%20OWG_19%20July%20at%201320hrsver3.pdf (accessed September 29, 2014).

6 UN, *The Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting the Planet*, Synthesis Report of the Secretary-General On the Post-2015 Agenda (New York, December 2014).

7 Cf. *The Roads from Rio. Lessons Learned from Twenty Years of Multilateral Environmental Negotiations*, ed. Pamela S. Chasek and Lynn M. Wagner (New York and London 2012); Frank Biermann et al., *Transforming Governance and Institutions for Global Sustainability*, Earth System Governance Working Paper No. 17 (Lund and Amsterdam: Earth System Governance Project, November 2011).

8 United Nations General Assembly (UNGA), *Format and Organizational Aspects of the High-Level Political Forum on Sustainable Development*, UN-Doc. A/Res/67/290 (New York, August 2013).

9 See, e.g., Daniel Mittler, "Schwach, schwächer, CSD?

Committee held a panel discussion on "Promoting accountability at all levels: monitoring the Post-2015 development agenda". Moreover, there have been a few more informal meetings.[19] In November 2014, the Parliamentarian State Secretary in the German Federal Environment Ministry, Rita Schwarzelühr-Sutter, and the State Secretary at the Federal Ministry for Economic Cooperation and Development, Friedrich Kitschelt, hosted a talk at the Permanent Mission of Germany in New York to seek support for an effective review mechanism for the Post-2015 agenda.[20] At the request of the UN Secretary-General, the regional commissions of the UN conducted consultations at the ministerial level, supported by surveys, to arrive at a better understanding of what kind of review the Member States are envisioning.[21] This informed the Synthesis Report of the UN Secretary-General that was published on December 4th. The report suggests constructing a voluntary, state-led, participatory, and multi-tiered universal review process with a global component convened annually under the auspices of the HLPF.

At the same time, there is debate among Member States about how central a role the review should play in the HLPF. Some of the wording in UN documents suggests that the eight days of meetings under the auspices of the ECOSOC might be dedicated primarily to the review.[22] Member States have agreed, however, that ECOSOC reforms should not lead to an increase in the number of meeting days,[23] which then limits the timeframe for the new process. Beyond this, there have been and continue to be fundamental disagreements about the institutional design and chief tasks of the HLPF that the resolution providing the mandate for the review body did not actually resolve. Several Member States have never viewed the HLPF as an independent institution, but only as a "platform" for strategic discussion and agenda-setting. Accordingly, they are reluctant or even opposed to discussing questions of the HLPF's decision-making authority or giving it a Bureau of its own or more secretariat capacities.[24] If the political will to strengthen the HLPF

Synthesis Report – Informal Summary (New York, September 2014), http://www.un.org/en/ga/president/68/pdf/stocktaking/PGA%20Stocktaking%20Event%20-%20Summary.pdf (accessed October 1, 2014).

19 For example, the workshops *Making the High-Level Political Forum on Sustainable Development Work: How to Build an Effective "Review Mechanism"* in New York on February 20, 2014 and May 15, 2014, cf. http://www.iisd.ca/hlpf/hlpfsdw/html/crsvol221num1e.html and http://www.iisd.ca/hlpf/hlpfsdw2/html/crsvol221num2e.html (both accessed July 17, 2014) and an Expert Group Meeting, organized by UNDESA, on the role of the HLPF in the Post-2015 framework, April 30 – May 1, 2014.

20 *Chair's Summary: Possible Elements of a Review Mechanism for the Post-2015 Agenda—An Exchange of Views.* Event at the German Federal Mission New York, November 19, 2014.

21 Cf. Regional Ministerial Consultation with the United Nations Economic Commission for Europe (UNECE) on September 15 and 16, 2014: http://www.unece.org/post-2015/regionalministerialconsultation2014.html (accessed October 7, 2014).

22 President of UN ECOSOC, *Preparing for the 2014 High-Level Political Forum* (see note 12), para. 5: "Under the auspices of ECOSOC, the President of ECOSOC is to convene the meetings of the forum annually for a period of eight days, including a three-day ministerial segment to be held in the framework of the substantive session of the Council." These meetings are

agreement among donor countries on this point. However, given the significant role that the means of implementation played in the negotiations over the SDGs, it should be clear to them that a provision on this subject can hardly be avoided if the ultimate aim is to create a strong review. When states have mutual obligations to each other, which they have an interest in monitoring reciprocally, a window of opportunity for creating an effective review opens up. The newly industrializing countries want to monitor the industrialized countries' consumption and production patterns, and vice versa. The G77 wants to monitor the fulfillment of financial commitments and the donor countries want to know whether the newly industrialized countries are participating adequately in development financing, whether the developing countries have exhausted their own resources, and to what extent good governance is ensuring the effective and efficient use of these resources.

Beyond all these state interests with respect to the Post-2015 review, it is instructive to also analyze previous UN politics in the area of sustainable development, and so to identify what past experiences should be considered in the design of the future Post-2015/SDG follow-up mechanism. With regard to the MDGs, both experts and national representatives argue that the developing countries lacked *political ownership* since the targets were more or less imposed on them by the UN and the main donor countries.[30] This must be avoided in the Post-2015 goals. Instead, political will and ambition should be fostered to drive the transformation to sustainable development forward. This applies to both industrialized and newly industrialized countries, as well as to the developing countries. In many of the LDCs, the *capacities* needed to support such an orientation are often lacking. In order for these countries to pursue sustainable development paths, they will need targeted support. This is true especially of fragile states, most of which have failed to achieve the MDGs.[31] Moreover, corruption and clientelism have led regimes to pursue policies that are more invested in short-term profits than in long-term sustainability.

Thus, past experiences show that the successful implementation of programs for sustainable development depends either on the *political will* of decision makers and/or on the *capacities* of political systems and local service providers. States either have the desire and/or ability to implement targets—or they do not.[32] In the latter case, follow-up processes should be created to provide both incentives and accountability mechanisms, and/or be accompanied by capacity-building measures. Incentives might include the exchange of knowledge and experiences, information on best practices, and improved access to resources for implementation or advantageous partnerships. Peer pressure should be applied when commitments are not met despite available resources. Sanctions, however, are unrealistic and are also not wanted.[33] In any case, the UN has almost no recourse to binding mechanisms outside the areas of security and trade. Their most effective means are to foster transparency, openness, and visibility in the international community, thereby creating the aforementioned peer pressure, and to involve experts or civil society actors from the UN and local level in the process. This is another reason for designing the process to be as participatory as possible.

In this sense, the new review should do both: *support* and *encourage* implementation. Its first task would be to provide individualized support for implementation within a national framework. Its second task would be to monitor whether states have complied with their own commitments.

In the past, a number of states had misgivings about stronger *accountability* mechanisms on the international level. Governments are accountable first and foremost to their own citizens, but they are also accountable to those who are affected by their actions beyond national boundaries. Both of these aspects should form the foundation for the future HLPF Review

post-2015 development agenda." (Emphasis added)

30 Nicole Rippin, *Progress, Prospects and Lessons from the MDGs*, Background Research Paper for the Report of the High Level Panel on the Post-2015 Development Agenda (May 2013), 16.

31 Organisation for Economic Co-operation and Development (OECD), *Ensuring Fragile States Are Not Left Behind*, Factsheet on Resource Flows and Trends (Paris, 2013), http://www.oecd.org/dac/incaf/factsheet%202013%20resource%20flows%20final.pdf (accessed July 23, 2014).

32 In the research on the question of when states do follow international rules, a combination of transparency, reporting requirements, dispute resolution mechanisms, and capacity building is discussed. Cf., e.g., Abram Chayes and Antonia Chayes, "On Compliance," in: *International Organization* 47, no. 2 (1993): 175–205.

33 The FAQ page of the HLPF website states: "The Forum will not have any enforcement mechanism to compel States to comply with its recommendations. Given the enormous scope of the global sustainable development agenda, implementation of its recommendations depends on the commitment of each country."

process. In order to attain an adequate level of acceptance among the UN Member States and to bring the review process as close as possible to the local implementation level, it should respect national sovereignty as much as possible and also be structured in a subsidiary way, as a multi-level process with strong involvement at the national levels.[34] In order to make sure that local as well as national levels are effectively reached, the review should be designed as a comprehensive, multi-level model that integrates the global community as well as local civil society and other stakeholders. The accountability component should not, however, be restricted solely to the national level, as parliaments and civil society organizations do not have sufficient policy space to hold governments accountable in all countries. An international review platform would help to strengthen the positions of these national actors.[35]

The future HLPF review should also take a *differentiated approach*, as called for by the outcome document of the Rio+20 Conference. Sustainable development goals should be "global in nature and universally applicable to all countries, while taking into account different national realities, capacities and levels of development and respecting national policies and priorities."[36] Up to now, however, it has not been determined what exact form this differentiation will take. Global negotiation on the different national goals or targets would place too great a burden on the process and would create major delays. In the following, this paper explores how the principle of differentiation could be incorporated into the review process by starting the review with national targets and commitments set by the nations themselves in the areas of the Post-2015 goals, which are then assessed in an initial round of the review process.

However, a differentiated approach relates not only to the guidelines but also to the *means of implementation*. This was a subject of vigorous debate during the negotiations of the SDG proposal in the OWG. Controversy arose over the principle of Common but Differentiated Responsibilities (CBDR) that had been adopted during the first Rio Conference in 1992.[37] In this dispute, the G77 insisted that the obligation emerging

34 UN documents and discussions refer here to a "decentralized" and "multi-layered" or "multi-tiered" approach.
35 Margaret E. Keck and Kathryn Sikkink, *Activists beyond Borders. Advocacy Networks in International Politics* (Ithaca, 1998).
36 UNGA, *The Future We Want* (see note 1), para. 247, 47.
37 Jens Martens, "Sharing Global Burdens", *D+C Development and Cooperation* 12 (2014)

Existing Review Processes: Strengths and Weaknesses

How do existing review models fare when evaluated against the outlined criteria? What "best practices" can be identified to inspire the design of the HLPF mechanism to review the implementation of sustainable development? Since many experts and states favor a multi-level approach for the new mechanism, international, regional, and national review processes are relevant to consider. Their work and findings could also be incorporated into the preparation of the review at the global level.

The Annual Ministerial Review and other Reviews in the UN Development System

At the UN level, the Annual Ministerial Review (AMR) under the ECOSOC is of particular interest since the HLPF Review is to build on this process and replace it as of 2016.[39] The AMR was mandated at the 2005 World Summit to conduct a ministerial-level review to assess progress towards the MDGs and to evaluate and review implementation of the UN Development Agenda.[40]

The AMR was further strengthened and raised in status in early 2007. Since then, the review has taken place on a different thematic focus each year (patterned on ECOSOC's annual theme).[41] It is held within the framework of the ECOSOC High-Level Segment, with organizational and preparatory work being carried out by the United Nations Department of Economic and Social Affairs (UNDESA). The AMR has three main elements on three levels:

The core element of the AMR is National Voluntary Presentations (NVPs). Each year, approximately ten states make voluntary presentations on their successes and challenges in implementing selected development goals. Each of these states submits a national report by April and presents key elements of the report during the ECOSOC High-Level Segment in July (20-minute presentation followed by a 40-minute discussion). In the past, it was sometimes difficult to motivate states to participate. In addition, the presentations have occasionally been criticized as relatively unproductive. One issue is that the state making the presentation selects the three states reviewing its NVP itself—making it very likely that states will choose reviewers that tend to be favorably disposed toward them. A second issue is that the presentations themselves have often failed to seriously address the real problems and challenges states face in the process of implementation. The guidelines for the 2014 AMR now call upon the participating states to also discuss challenges and obstacles.[42] The outcomes and positive examples are presented on the website "Development Strategies that Work."[43]

In addition, ECOSOC supports *country-led regional reviews*.De facto, these are regional consultation processes that are designed to prepare the way for the global High-Level Segment. While this is supposed to provide for a bottom-up structure, there have been clear problems in implementation in the past. Accordingly, a report of the UN Secretary-General recommends strengthening the regional dimension and integrating it better with the global level review.[44] This integration is even more necessary for the national consultation and review processes that—according to the recent UN Secretary-General's synthesis report—the states should use in the future to make the overall

39 United Nations General Assembly (UNGA), *Format and Organizational Aspects of the HLPF* (see note 8), para. 7a: "building on and subsequently replacing the annual ministerial review as from 2016." See also para. 8d: "Shall replace the national voluntary presentations held in the context of the annual ministerial-level substantive reviews of the Council, building upon the relevant provisions of General Assembly resolution 61/16 of November 20, 2006, as well as experiences and lessons learned in this context."

40 UNGA, *2005 World Summit Outcome*, UN-Doc. A/Res/60/1 (New York, October 24, 2005), para. 155c, p. 33.

41 UNGA, *Strengthening of the Economic and Social Council*, UN-Doc. A/Res/61/16 (New York, January 9, 2007), para. 8.

42 UNDESA, *Guidance Note for the 2014 National Voluntary Presentations*, New York: Office for ECOSOC Support and Coordination Department of Economic and Social Affairs, United Nations, November 2013.

43 See http://webapps01.un.org/nvp/home.action (accessed July 28, 2014).

44 ECOSOC, *The Contribution of ECOSOC to the Elaboration of the Post-2015 Development Agenda as a Principal Body for Policy Review, Policy Dialogue and Recommendations on Issues of Economic and Social Development and for the Follow-up to the MDGs*, UN-Doc. E/2013/72; Report of the Secretary-General (New York, May 10, 2013), para. 21.

process more bottom-up, transparent, and participatory.

As the third element in the AMR process, the Secretary-General presents a report with a review of global progress on the UN Development Agenda. The final outcome of the AMR is the *Ministerial Declaration*, which is adopted in the ECOSOC High-Level Segment.

There are several positive and valuable aspects of the AMR that offer points of departure for the HLPF Review process—yet there is a significant need for improvement in terms of concrete implementation.[45] The main criticisms of the AMR are its lack of incentives for UN Member States to participate in a serious way, and up to now the complete absence of follow-up on the review and its recommendations. Also, non-governmental organizations (NGOs) are only allowed to participate to a limited extent within the framework of the relatively restrictive ECOSOC rules.[46]

The AMR is supplemented by the *Development Cooperation Forum* (DCF), which was also introduced in 2005. The DCF is not explicitly a review procedure, but nevertheless serves in reviewing trends, progress, and gaps in the implementation of international development goals.[47] The outcome of the two-day symposium of the DCF during the ECOSOC High-Level Segment in July is the President's Summary. The biennial DCF is open to all stakeholders, including the UN and regional organizations as well as international financial institutions, parliamentarians and local government representatives, and representatives of civil society and private sector organizations. In the process of preparations, various formats are combined—high-level meetings with more analytical working groups as well as stakeholder consultations. In March 2014 in Berlin, a high-level symposium in preparation for the DCF was held focusing on the problem of "Accountable and Effective Development Cooperation in a Post-2015 Era."[48] The conclusions of the symposium underscored that the DCF sees itself as a "global apex body for accountability" in matters of effective development cooperation and the global partnership for development of the Post-2015 Development Agenda.[49]

Yet there is some debate over whether the DCF should be *the* key institution for monitoring and evaluating the Post-2015 agenda and sustainable development goals. The DCF's mandate is very limited on the question of effective development cooperation. Moreover, there are other competing institutions working in this field, such as the new Global Partnership for Effective Development Cooperation, which is supposed to carry out monitoring tasks in this area as well,[50] the OECD-DAC (see p. 19), and now also the HLPF.

In the past, the DCF has often addressed cross-cutting issues such as South-South Cooperation and the aforementioned questions of mutual accountability. A special focus of its work has also been on the coherence of the UN system's efforts on development issues.

This is also the focus of the *Quadrennial Comprehensive Policy Review* (QCPR).[51] Introduced in 2008 and strengthened further in 2012, this procedure is used by the General Assembly to measure and improve the effectiveness and coherence of the UN development system. To this end, detailed results frameworks have been developed to accompany the strategic plans of the UN programs and funds and to be used as tools for

45 UNDESA, *Summary. UNDESA Training Workshop and Expert Group Meeting in Preparation for the 2014 Annual Ministerial Review of the UN ECOSOC* (New York, February 2014).

46 Jan-Gustav Strandenaes, *Participatory Democracy—HLPF Laying the Basis for Sustainable Development Governance in the 21st Century. Modalities for Major Groups, Non-Governmental Organisations and other Stakeholders Engagement with the High Level Political Forum on Sustainable Development* (New York: UNDESA, March 2014).

47 The DCF "should review trends and progress in international development cooperation [...]; identify gaps and obstacles with a view to making recommendations [...] for the realization of the internationally agreed development goals, including the Millennium Development Goals," see UNGA, *Strengthening of the Economic and Social Council* (see note 41), para. 4. In concrete terms, developments are tracked along ten indicators that were defined in 2011 at the Fourth High-Level Forum on Aid Effectiveness in Busan.

48 See also the background study for the 2014 DCF by José Antonio Ocampo and Natalia Gómez Arteaga, *Accountable and Effective Development Cooperation in a Post-2015 Era* (New York, March 2014), http://www.un.org/en/ecosoc/newfunct/pdf13/dcf_germany_bkgd_study_3_global_accountability.pdf (accessed July 27, 2014).

49 Development Cooperation Policy Branch (Office for ECOSOC Support and Coordination, UNDESA), *2014 DCF Support Strategy: Preparations for the Development Cooperation Forum, Phase IV: 2012–2014* (January 2013), 6 ("global apex body for accountability").

50 See also Heiner Janus, Stephan Klingebiel, and Timo Mahn, *How to Shape Development Cooperation? The Global Partnership and the Development Cooperation Forum*, DIE Briefing Paper 3/2014 (Bonn: German Development Institute [DIE], 2014).

51 See Office for ECOSOC Support and Coordination, UNDESA, *2012–2016 Quadrennial Comprehensive Policy Review (QCPR) of the General Assembly of UN Operational Activities for Development* (online), http://www.un.org/en/development/desa/oesc/qcpr.shtml (accessed July 27, 2014).

evaluating their output. Some praise this approach as potentially revolutionary,[52] while others criticize it as relatively ineffectual additional bureaucracy. The current QCPR cycle ends in 2016. The question remains open whether and to what extent the QCPR can be linked to the new HLPF Review in the future to integrate all of the relevant UN entities in the review process, as stipulated in the resolution on the HLPF.[53] The Secretary-General's 2012 QCPR Report emphasizes that results-oriented, innovative management, and corresponding evaluation procedures need to be better coordinated throughout the entire UN system.[54] This is also an important precondition and objective for the HLPF Review. In this spirit, Deputy UN Secretary-General Jan Eliasson views the QCPR as an important means of preparing the UN for the Post-2015 agenda, making the UN "fit for purpose".

The Universal Periodic Review in the area of Human Rights

The Universal Periodic Review (UPR) of the Human Rights Council (HRC) examines and assesses the human rights situation in all UN member states. The UPR is considered by many experts to be a model for the new HLPF Review.[55]

The UPR does indeed offer a number of interesting ideas for process and structural features that could be utilized in the future HLPF Review. First, the UPR is designed as both *universal* and *periodic*. The UPR reviews the human right situation of all UN Member States once every 4.5 years, that is, 42 states are asked to report each year (first the HRC members in three Working Group sessions of two weeks each). Participation in the UPR is compulsory, but its recommendations are not binding. There are no sanctions in place for states that refuse to participate. In cases of "persistent-non-cooperation," the Human Rights Council decides on an individual basis what measures to take.[56] Like the UPR, the HLPF also has universal membership, but its review is defined explicitly as a voluntary mechanism. It could nevertheless clearly state that *all* states are encouraged and expected to participate regularly in the review.

The UPR is coordinated by the Office of the High Commissioner for Human Rights (OHCHR) in Geneva. The UPR review procedure is more complex than that of the AMR and has been developed further over time.[57]

Here, too, each state under review (SuR) first submits a national report (20 pages maximum). The SuR is expected to have carried out civil society consultations at the national level prior to the review. The state's reports are then supplemented by a compilation of information from UN bodies (10 pages maximum) including observations, comments, and recommendations of the responsible UN treaty bodies, that is, the UN committees that monitor implementation of the core international human rights treaties and the UN Special Rapporteurs. The compilation is prepared by the office of the OHCHR.

NGOs and other non-governmental observers are also asked to submit their own assessments to the process (five pages maximum). As such, these are not merely "shadow reports" but create an independent basis for the review. All of the reports from civil society are then compiled by the High Commissioner into a "Summary of stakeholders' information" (10

52 Pio Wennubst and Timo Mahn, *A Resolution for a Quiet Revolution. Taking the United Nations to Sustainable Development "Beyond Aid"*, DIE Discussion Paper 22/2013 (Bonn and New York: DIE, 2013).

53 UNGA, *Format and Organizational Aspects of the HLPF* (see note 8), para. 8a. "shall include [...] relevant United Nations entities."

54 UNGA, *Quadrennial Comprehensive Policy Review of Operational Activities for Development of the United Nations System*, UN-Doc. A/67/93 (New York, June 2012).

55 Jens Martens, *Globale Nachhaltigkeitsziele für die Post-2015-Entwicklungsagenda* (Bonn and Osnabrück: Global Policy Forum Europe/Terre des Hommes, January 2013), http://www.globalpolicy.org/images/pdfs/GPFEurope/Report_Globale_Nachhaltigkeitsziele_Online.pdf; Steven Bernstein, *The Role and Place of the High-Level Political Forum in Strengthening the Global Institutional Framework for Sustainable Development*, Paper for UNDESA (September 2013), http://sustainabledevelopment.un.org/content/documents/2331Bernstein%20study%20on%20HLPF.pdf (both accessed September 29, 2014); see also: Special Procedures Mandate-Holders of the Human Rights Council, *If Rio+20 Is to Deliver, Accountability Must Be at Its Heart*, Open Letter, http://www.ohchr.org/EN/HRBodies/SP/Pages/OpenLetterRio20.aspx (accessed July 22, 2014).

56 For instance in 2013, see: UNGA, *Report of the Human Rights Council on its Seventh Organizational Meeting*, UN-Doc. A/HRC/OM/7/1 (New York, April 2013).

57 Theodor Rathgeber, *The HRC Universal Periodic Review: A Preliminary Assessment*, FES Briefing Paper 6 (Geneva: Friedrich Ebert Foundation, July 2008). Tiffany Henderson, *Towards Implementation: An Analysis of the Universal Periodic Review Mechanism of the Human Rights Council* (n.p., n.d.; probably from 2008), http://www.upr-info.org/sites/default/files/general-document/pdf/-towards_implementation_by_tiffany_henderson.pdf (accessed July 29, 2014). On the process, see also the information on the website of the NGO UPR Info http://www.upr-info.org/-UPR-Process-.html (accessed July 23, 2014).

pages maximum), which is then presented to the HRC. All documents submitted are also published on the OHCHR's website for the UPR. Member State representatives may then address the NGOs' information in their own comments and recommendations during the review.[58]

During the public presentation by the SuR (70 minutes) and interactive dialogue (140 minutes), only the Member States are allowed to speak (2–3 minutes each) but not the participating NGOs. The SuR can choose whether or not they want to respond to questions or comments. The members of the HRC and representatives of the states under review take part in the dialogue; further UN Member States can also be present as observers. The public is able to follow the process on live UN webcast.

After the dialogue, the troika—three states from different regional groups selected (in contrast to the AMR) by the drawing of lots from among the Member States to serve as both facilitator and rapporteur—compiles an approximately 30-page outcome report that provides a summary of the discussion and a full list of recommendations made by states.[59] In the past, the number of recommendations was between 20 and 200. The SuR is then expected to provide written comment on each of these recommendations within a specified period. It can either accept or reject the recommendations, and can also list further voluntary measures. The SuR is expected to implement the recommendations it has accepted as well as its voluntary commitments by the next periodic review.

The HRC officially adopts the report, together with all responses by the SuR, at its next session. During the one-hour discussion of the report in the plenary of the HRC, accredited non-governmental observers again have the right to speak and can make comments on the results.[60]

In the next cycle, the follow-up takes place. Here, the focus is on changes that have been made since the last round, and on the implementation of recommendations. States can also send the HRC a voluntary "Mid-Term Report" on steps taken towards implementation.

The UPR process is of particular interest because of the broad acceptance it has achieved despite including obligatory elements and also involving intense participation by experts and NGOs at several points in the process. It is designed to be highly transparent and participatory, yet it is also state-led and respects the dominant position of Member States in the UN. Participation is high despite the lack of material incentives and the relatively large amount of effort required. A Voluntary Fund for Financial and Technical Assistance has been set up to provide developing countries with assistance in following up on the recommendations. The UPR has a relatively narrow thematic focus on the human rights situation of countries, based on fairly specific provisions of international human rights legislation on which there is broad consensus. These features distinguish the UPR process from the future Post-2015 Review.

Further sectoral, regional, and national reviews

There are a number of further reviews with a *sectoral* focus, whose innovative elements are of interest for the HLPF mechanism.[61] The *Pledge and Review* process established under the United Nations Framework Convention on Climate Change (UNFCCC) asks states to formulate their own pledges with regard to climate mitigation (now called Intended Nationally Determined Contributions, INDCs). When it was created, the subsequent review process still had not been fleshed out in detail, so it at least tried to achieve transparency by publishing the national pledges.[62] In the meantime, the review process (MRV: Monitoring, Reporting, and Verification) has become binding for the Annex I Parties to the Convention—that is, for most of the industrialized countries. For the Non-Annex I Parties (newly industrialized and developing countries), it is voluntary or limited to national-level review measures, except in the case of internationally financed mitigation efforts, which are monitored internationally as well.[63]

58 Henderson, *Towards Implementation* (see note 57), 21, 24f.
59 Human Rights Council, *Modalities and Practices for the Universal Periodic Review Process*, UN-Doc. 8/PRST/1 (April 2008).
60 Planned are 20 minutes for the country presenting, 20 minutes for the other Member States, and 20 minutes for accredited non-governmental observers.

61 See also UN Commission on Sustainable Development Secretariat, *Lessons from the Peer Review Mechanism*, Rio 2012 Issues Brief No. 2 (July 2011); Mark Halle, Adil Najam, and Robert Wolfe, *Building an Effective Review Mechanism: Lessons for the HLPF* (Winnipeg: The International Institute for Sustainable Development, February 2014).
62 David King, Kenneth Richards, and Sally Tyldesley, *International Climate Change Negotiations: Key Lessons and Next Steps* (Oxford: Smith School of Enterprise and Environment, July 2011), 21f.
63 Daniel Bodansky, "The Copenhagen Climate Change Conference: A Post Mortem," *The American Journal of International*

In this process, the UNFCCC secretariat produces a comprehensive report evaluating the extent to which the submitted national voluntary pledges are sufficient to meet the internationally agreed target of limiting global warming to two degrees Celsius. Expert Review Teams (ERTs) examine whether the Annex I countries have fulfilled their mitigation pledges based on their evaluation of the submitted national reports as well as field visits. Over 120 experts from industrialized and developing countries are involved in these teams each year.

An advantage of this Pledge and Review process is that also countries that were previously unwilling to enter into binding commitments in intergovernmental negotiations under the UNFCCC could be motivated to submit voluntary commitments. As a result, more than 85 percent of global emissions are now covered. At the same time, reports by the UNFCCC secretariat and estimates by NGOs suggest that the national mitigation commitments that have been made up to this point are nowhere close to sufficient in order to keep the global temperature below the two degree Celsius "guardrail". This has undermined the legitimacy of the approach and has also brought critique from numerous national representatives.[64] It is currently under discussion how the review could be expanded at the Conference of the Parties on Climate Change in Paris in 2015—in combination with a broader Post-2015 review. Here, questions of equity and justice have been raised in particular—an aspect that is likely to be decisive in the HLPF Review as well.[65]

The Organisation for Economic Co-operation and Development (OECD) conducts several different kinds of peer reviews. Most of these are voluntary; only a few are legally binding, such as the monitoring of the OECD Anti-Bribery Convention.[66] The *Peer Review* of the OECD-DAC (Development Assistance Committee) is designed to evaluate the effectiveness of development cooperation by donor countries. It focuses in particular on working processes and procedures in this policy area. The OECD uses review teams comprised of representatives of both Member States and of the DAC secretariat. Input from recipient countries is also taken into account. A unique feature of the OECD-DAC Peer Review is that the implementation of recommendations is reviewed after two years at the latest in a "Mid-Term Review" as well as in the next periodic review.[67] Expert teams also play a part in the OECD'S *Environmental Performance Reviews*, which focus on specific policies.[68] Both review processes involve field visits, consulting also with civil society representatives. Reports are discussed first internally and then among a broader circle. The OECD secretariat plays a key role in the entire process. It drafts the initial version of the report.

The OECD Peer Reviews have been assessed quite positively in the research literature. They are generally considered to be of very high quality; their results are seen as valuable. Most importantly, the recommendations they produce are implemented to a relatively significant degree. Even states that are not members of the OECD have voluntarily taken part in a number of OECD Peer Reviews. However, due to the complex procedures involved, this type of review is extremely expensive. In the international context, this restricts its relevance as a model for the Post-2015 review.

There are also *regional*-level reviews whose work could be integrated usefully into a multi-level model for a Post-2015 review.[69] In 2003, the *African Peer Review*

Law 104, no. 2 (April 2010): 230–40. For the current state, see the website of the UNFCCC, http://unfccc.int/focus/mitigation/items/7173.php (accessed July 27, 2014).

64 Katarina Buhr, Susanna Roth, and Peter Stigson, "Climate Change Politics through a Global Pledge-and-Review Regime: Positions among Negotiators and Stakeholders," *Sustainability*, no. 6 (2014): 794–811.

65 Bert Metz, *Making a Pledge and Review System Work: National Green Growth Plans, Policies and a Different Approach to Equity* (online), (December 2013), http://controllingclimatechange.net/making-a-pledge-and-review-system-work (accessed September 29, 2014); Thomas Hale and Max Harris, *Country-to-Country Review under the Next Climate Treaty. Lessons from Other Intergovernmental Review Processes*, BSG Policy memo (Oxford: University of Oxford, Blavatnik School of Government, February 24, 2014).

66 For a comprehensive overview and very positive assessment of the OECD Peer Review, see Fabrizio Pagani, *Peer Review: A Tool for Cooperation and Change. An Analysis of an OECD Working Method* (Paris: OECD General Secretariat Directorate for Legal Affairs, September 2002; and in *African Security Review* 11, no. 4 [2002]: 15–24).

67 Guido Ashoff, *50 Years of Peer Reviews by the OECD's Development Assistance Committee: an Instrument of Quality Assurance and Mutual Learning*, DIE Briefing Paper 12/2013 (Bonn: DIE, 2013).

68 The G20 also relies on voluntary peer reviews in this area, e.g., to reduce subsidies for fossil fuel energy sources, see Ivetta Gerasimchuk, *Mapping Options for a Voluntary Peer Review of Fossil-Fuel Subsidy Reform within the G-20* (Winnipeg/Geneva: International Institute for Sustainable Development, July 2013).

69 The EU also has extensive experience with review processes—in the area of social development, e.g., with the *Open Method of Coordination* (OMC). Member States should compare their efforts and exchange experiences.

Mechanism (APRM) was established by the African Union (AU) as part of the New Partnership for Africa's Development (NEPAD).[70] The APRM is conceived as a mutually agreed instrument for self-monitoring national action plans. So far, seventeen countries have participated. The thematic focus of the review is on democracy and political governance, economic governance and management, corporate governance, and socio-economic development. Information on these areas is collected using a list of indicators and a questionnaire. The APRM Secretariat produces a background study based on a range of data and findings. The APRM also sends expert teams to conduct Country Review Visits. The process takes into account information from a variety of sources: national and local government actors, parliamentarians, civil society and private sector actors, academia and also external experts such as the OECD-DAC and the African Development Bank. However, the involvement of civil society actors as part of the field visits has frequently been described as needing improvement.[71] At the end, a National Programme of Action (NPoA) is prepared with short-term, medium-term, and long-term goals that are monitored, reported on, and discussed in the subsequent review. The Country Review Reports are first discussed internally among the states before being released publicly.

This is overall an extremely intensive and time-consuming process that requires a certain level of capabilities on the part of both the NEPAD secretariat and the institutions in the participating countries. In the past, various UN organizations and also Germany have supported capacity-building in these institutions.[72] Observers have also emphasized that the secretariat and the review teams must be kept independent and protected from political manipulation.

A unique feature of the APRM is the close involvement of the participating heads of state and government, who hold ultimate responsibility for oversight of the review process in the Heads of State Forum. They have to be present personally at various points in the multi-level process and cannot send representatives in their place. The intention of creating this structure was to strengthen the political self-commitment by ruling elites and to provide for incentives for domestic reforms. So far, this has only been successful to a limited extent.[73]

Finally, a few countries are using *national* review procedures as part of their sustainability politics. The *German Council for Sustainable Development* (RNE), which is appointed by the federal government, conducted its second international *Peer Review* of German sustainability policy in 2013. The process, which is scheduled to take place every four years, is based on the German National Sustainability Strategy, the Federal Statistical Office's Indicator Report, and the federal government's Progress Report. The recommendations that emerge from the review go to the Federal State Secretaries' Committee for Sustainable Development, which is presided over by the Federal Chancellery and has the task of continually developing and updating the National Sustainability Strategy. In the 2013 report, a group of international experts recommend that the Committee should already begin revising the German sustainability strategy in 2014 and not merely see this as "just another routine iteration."[74] Furthermore, they urge that the Committee work toward this end in a more cooperative way than it has up to now. Germany should aim at "smart sovereignty", combining the active pursuit of its national agenda with a global leadership role by providing solutions for a sustainable future.

Already at the 1992 UN Conference in Rio it was recommended that all countries develop their national sustainability strategies. This call was repeated at the 2002 World Summit on Sustainable Development in Johannesburg (see also p. 7). If national sustainable

70 A comprehensive description and (positive) evaluation of the APRM is provided by Kempe Ronald Hope, "Toward Good Governance and Sustainable Development: The African Peer Review Mechanism," *Governance: An International Journal of Policy, Administration, and Institutions* 18, no. 2 (April 2005): 283–311. Ian Taylor is much more skeptical in "Of Big Men and Big Ideas: Can NEPAD's APRM Make a Difference?" in *Inside Africa: Contemporary Perspectives*, ed. A. S. Yaruingam and Rashmi Kapoor (Delhi, 2013), 3–20.

71 Ravi Kanbur, "The African Peer Review Mechanism (APRM): An Assessment of Concept and Design," *South African Journal of Political Studies* 31, no. 2 (2004): 157–66.

72 The Federal Ministry for Economic Cooperation and Development (BMZ), *Regionale Kooperation in Afrika. Der entwicklungspolitische Beitrag Deutschlands*, BMZ Informationsbroschüre 7/2011 (Bonn and Berlin, 2011), 14.

73 Markus Beckmann, *NePAD und der African Peer Review Mechanism – Zum Potential politischer Selbstbindung*, Diskussionspapier No. 8/2007, ed. Ingo Pies (Halle: Martin-Luther-Universität Halle-Wittenberg, Lehrstuhl für Wirtschaftsethik, 2007).

74 RNE, *Sustainability—Made in Germany. The Second Review by a Group of International Peers, commissioned by the German Federal Chancellery* (Berlin, September 2013), 28f., 43.

development strategies were now aligned with the Post-2015 agenda and sustainable development goals, they could, in the future, form the foundation for the review process described here. Independent sustainable development councils or similar bodies could coordinate national consultation and discussion processes on the national strategies and reports.[75] Furthermore, these bodies could organize peer reviews at the national level as a means to identify critical points (in the implementation) of national strategies for sustainable development.

Lessons learned

Review procedures should create transparency, foster learning effects, encourage accountability, strengthen political will, and promote capacity building. Existing review processes on the national, regional, and global level offer a number of promising features. These could be used, first, in the design of the future HLPF Review. Second, they could themselves be integrated into a multi-tiered review process.

Most of the procedures discussed up to now use different forms of *input* as the basis for a periodic review. Most of these consist of national reports combined with other supplementary information. The degree to which these procedures consider non-governmental actors and information provided by them varies. Some use review teams exclusively comprised of state representatives who ask questions and provide comments, either within review bodies or in the context of field visits. This may be because countries reject the idea of including non-governmental experts in review teams (as is done in the OECD Peer Reviews).[76] In some reviews, however, the procedures are based largely on expert reports.[77]

To what extent *civil society or other social* actors and stakeholders should be involved in the development and discussion of reports at the national level is another subject of debate among the UN Member States. Often, review processes call for this form of participation but do not specify the extent and quality of such national consultations. In some countries, national sustainability councils carry out this task in different forms.[78] If the aim is to influence the political will of the governing elites, it makes sense to not only involve them directly in the review (as is the case with the APRM), but also to use the review process as a means of empowering the citizens to whom national decision-makers are accountable (local empowerment). For this reason, national sustainable development goals and reports should also be decided on by national parliaments. And not only diplomats should take part in the national voluntary presentations to the UN in New York but also elected politicians and high-level national government officials from the capitals.

Local visits by review teams are widely considered to be effective, but are expensive and are sometimes rejected for reasons of national sovereignty or accepted only as a voluntary element of review processes.[79] Having to rely solely on national reports and desk studies, however, is a disadvantage. For any review, it is essential to address local conditions in depth and to determine whether there is sufficient support for effective implementation.[80] This in itself—the collection of such information on the national and local situation—could already be regarded as a successful outcome of a review process.

One key question is to what extent states—and (as in the case of the APRM) heads of state—are willing to accept an open and also critical evaluation and the related peer pressure in the review process. In view of this, the various components of a review process should be weighed carefully against one another. Transparency, visibility, and broad participation are indeed critical factors in generating political will. At

75 Ingeborg Niestroy, *Sustainable Development Councils at National and Sub-national Levels Stimulating Informed Debate: Stocktaking*, SDG 2012 Think Pieces (London: Stakeholder Forum, 2012).
76 There also have been disputes over this, see Matti Joutsen and Adam Graycar, "When Experts and Diplomats Agree: Negotiating Peer Review of the UN Convention Against Corruption," *Global Governance* 18, no. 4 (2012): 425–39 (434).
77 For example, with the Independent Reporting Mechanism of the Open Government Partnership, where progress reports are written by an expert under the oversight of an International Experts' Panel, see http://www.opengovpartnership.org/independent-reporting-mechanism (accessed July 27, 2014). The voluntary Peer Review on Energy Efficiency (PREE) of the Asia-Pacific Economic Cooperation (APEC) also includes various non-governmental actors and experts in a review team as well as through interviews carried out at the local level.
78 The existing National Councils for Sustainable Development (NCSD) are organized in the "Global Network of National Councils for Sustainable Development and Similar Bodies," see: http://www.ncsds.org (accessed July 23, 2014).
79 The latter, e.g., in the review mechanism of the UN Convention against Corruption.
80 See also Martin Lodge, "The Importance of Being Modern: International Benchmarking and National Regulatory Innovation," *Journal of European Public Policy* 12, no. 4 (August 2005): 649–67.

the same time, the participating states should be able to initially explore and discuss the results of the review in a safe space. Often, final reports and recommendations are discussed first internally, with the respective decision-makers being given the opportunity to comment on them. Then, these statements are incorporated into a report, at which point they can be discussed publicly. Ideally, the following open discussion on the report should be publicly accessible by webcast. During this public phase of the review process, it is crucial to again involve civil society actors and other stakeholders so that critical issues can be addressed. For this, review processes should not only be designed in a participatory manner, but governments must also provide for corresponding freedoms on the national level.[81]

The evaluation of existing review mechanisms illustrates the relevance of a regular *periodic follow-up* to determine at an early stage the extent to which recommendations are being implemented (as is done with the UPR or the OECD-DAC Review).[82] Ideally, such a periodic review would pick up momentum over time, with states mutually encouraging one another's progress in an iterative process.

There are also several *problems* that have become evident. In general, few solutions have been found for dealing with states that do not want to participate in voluntary review processes. In addition, review processes may be undermined when states do not report in sufficiently concrete terms or when the questions posed in the review are not specific or critical enough.[83] A standardized template for reporting and presentation could help by formulating explicit questions relating to potential challenges and gaps. A culture of defensive or formal and ritualized discussion, too, is not productive in achieving the aims of a review. Moreover, likeminded states may tend to protect each other in the review process; this occurs especially when they are allowed to choose their own reviewers. At the same time, there is a danger that review processes will be captured for extraneous political purposes,[84] for example, when they are affected by conflicts in other areas.[85]

The *secretariats* play a key role in many of the reviews evaluated above: their work has a decisive influence on the quality of these reviews. Almost every publication on the subject quoted in this study emphasizes that secretariats' work in preparing and supporting review processes is indispensible for an effective and efficient review. In some cases, secretariats carry out important substantive review tasks—for example, producing background studies or even the reports themselves.[86] In cases where the review has to be adopted by consensus, the secretariat also plays an important role as a facilitator and mediator.[87] All this implies that secretariats should be independent, well equipped, and staffed with capable personnel. Often, however, they are de facto underfinanced.

In the debate over the HLPF Review up to now, there has been a strong interest expressed in preventing duplication of existing sectoral and regional reporting and review processes. It would be advisable to pay heed to this in order to prevent the *reporting burden* from becoming excessive. Nevertheless, it remains unclear how the findings of existing processes can be incorporated into the HLPF Review. A first step would certainly be to compare the guidelines for the different review processes that already exist in the UN framework. Indicators should be selected and the required data should be collected in such a way that they can be used for different reports and review processes.

An essential foundation for meaningful and reliable monitoring, reporting, and review procedures is high-

81 Thomas Conzelmann, "Reporting and Peer Review in the Implementation of International Decisions: What Role for Civil Society?", in *The Ashgate Research Companion to Non-governmental Actors*, ed. Bob Reinalda (Aldershot, 2011), 319–31.

82 The reports of the UN Secretary-General emphasize the importance of such "follow-up and report back mechanisms", see, e.g., ECOSOC, *The Contribution of ECOSOC* (see note 44), para. 63.

83 On the case of UPR, this is reported by Henderson, *Towards Implementation* (see note 57), 10, 16ff.

84 See the debate in Elvira Dominguez-Redondo, "The Universal Periodic Review—Is there Life beyond Naming and Shaming in Human Rights Implementation?", *New Zealand Law Review*, no. 4 (2012): 673–706.

85 In the past, the Middle East conflict, e.g., has repeatedly complicated or altogether blocked UN negotiations in the area of sustainability. At the HLPF in July 2014, e.g., the intensifying Gaza conflict made consensus on the Final Declaration very difficult to reach.

86 For example, with the Trade Reviews of the World Trade Association or, in the case of the OECD Economic Review, Robert Wolfe, *Letting the Sun Shine in at the WTO: How Transparency Brings the Trading System to Life*, Working Paper ERSD 3/2013 (Geneva: WTO, 2013), 13. Thomas Conzelmann, "Beyond the Carrot and the Stick: State Reporting Procedures in the WTO and the OECD", in *International Organizations and Policy Implementation*, ed. Jutta Joachim, Bob Reinalda and Bertjan Verbeek (London 2008), 35–47.

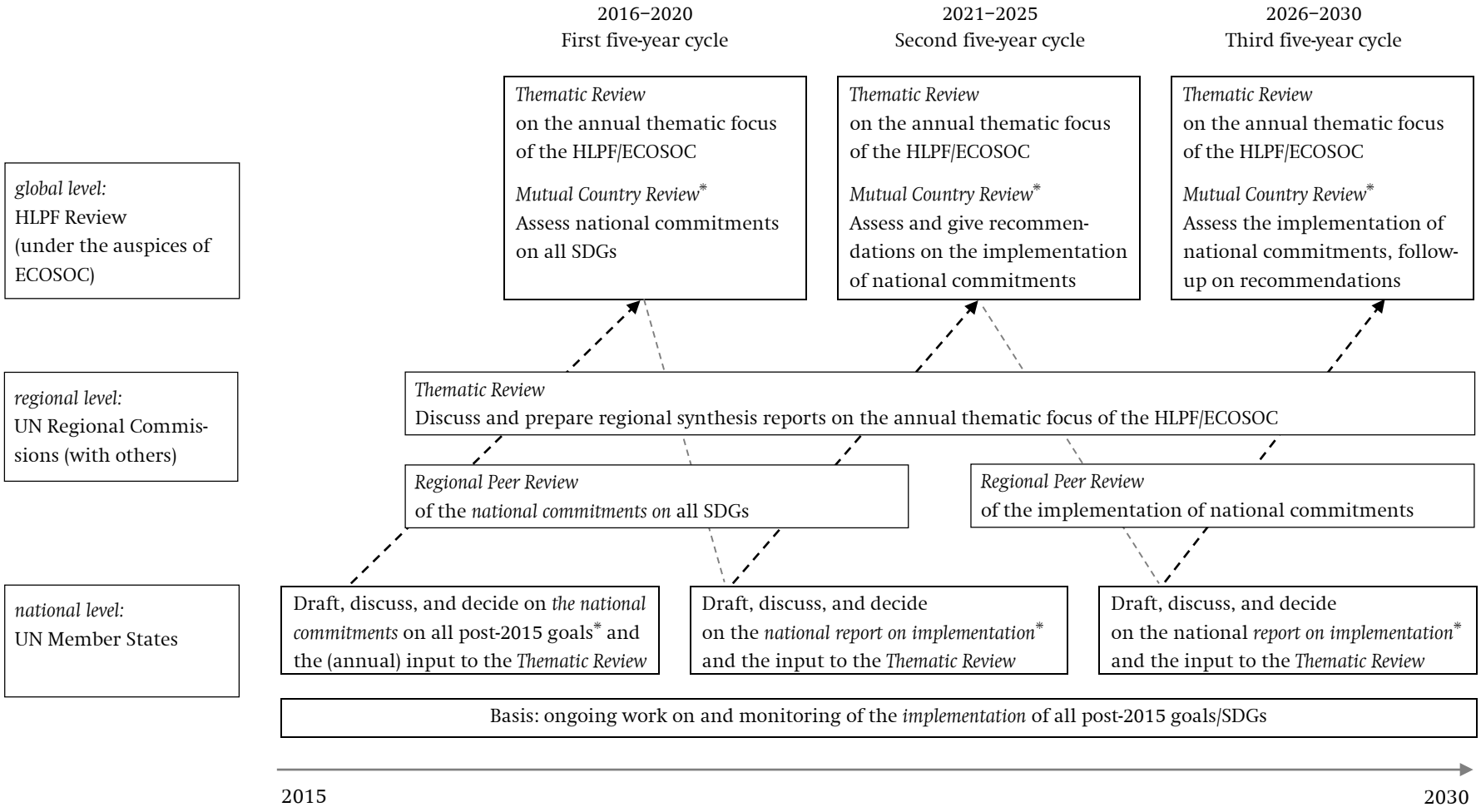
87 See Joutsen and Graycar, *Negotiating Peer Review* (see note 76), 436f.

quality *data* on the goals and indicators of sustainable development. A precondition, however, for this is the ubiquitously invoked "data revolution."[88] Although data collection and preparation for monitoring processes surrounding the MDGs have significantly improved, these capacities need to be developed further, especially in developing countries. For statistical data to be useful in addressing the differentiated design of the Post-2015 goals, they need to be prepared not only for national and budget statistics, but also to investigate aspects of distribution and justice or to identify effects on different disadvantaged groups. In August 2014, the UN Secretary-General responded to this desideratum by convening a 24-member Independent Expert Advisory Group (IEAG) on a Data Revolution for Sustainable Development, which submitted its report with recommendations in November 2014.[89]

88 OECD, *Strengthening National Statistical Systems to Monitor Global Goals*, OECD and Post-2015 Reflections, Element 5, Paper 1 (Paris, 2013); the OECD created the *PARIS21 Partnership in Statistics for Development in the 21st Century*.
89 IEAG, *"A World That Counts: Mobilising the Data Revolution for Sustainable Development,"* Report prepared at the request of the United Nations Secretary-General by the Independent Expert Advisory Group on a Data Revolution for Sustainable Development (New York, 2014).

Proposal for a “Commit and Review” Process for the Post-

Figure 1
Proposal for a Multi-Level Post-2015 Review



* In a five-year cycle: The Member States in one of the five UN Regional Groups would be called upon *every five years* to take part in the voluntary "HLPF Mutual Country Review" and to present their national commitments on all SDGs and their respective progress reports on the implementation of these commitments (see Fig. 2, p. 29).

the various activities of the German Council for Sustainable Development (RNE). For many local and national NGOs, the UN discussion of the SDGs up to now has been quite abstract. If the global goals and targets were broken down into national strategies and commitments for sustainable development, this could change.

All governments would then be asked to submit their national commitments in the Post-2015 goal areas to the UN. During the first five-year cycle (2016–2020) of the HLPF Review, each year, the Member States in one of the five UN regional groups could be invited to voluntarily present and discuss their national commitments.[92]

First, the review should examine whether national commitments (including benchmarks for the reference period) are *sufficiently specific and ambitious*, but at the same time, *realistic*.[93] It should also ensure that all national commitments added together actually correspond to the global goals and targets, and that the burdens are distributed fairly according to equity indicators.[94] Donor countries (both the traditional donor countries and the newly industrialized countries as new donors) should be called upon to clearly state their commitments to provide funding for implementation to developing countries.

Second, the HLPF review of national commitments should evaluate whether states have the necessary *means of implementation* at their disposal and where additional resources need to be mobilized.[95] Ideally, the results of the first review cycle should indicate where countries—in particular the least developed countries—need international support in building and developing capacities for the implementation of SDGs. If this would inform development cooperation, it could also provide a crucial *incentive* for developing countries to take part in the review. At the same time, in the first cycle, the HLPF review should consider the extent to which countries intend to and actually do mobilize their *own* resources for sustainable development. In this context, discussion could take place on effective practices and instruments—for instance, those used to build a sustainable tax and social systems—as well as tested approaches to crisis prevention or fighting corruption. Additional financing options are highlighted in the report of the Intergovernmental Committee of Experts on Sustainable Development Financing (ICESDF) and the third UN Financing for Development Conference in Addis Ababa in mid-July 2015 will further explore these issues.

The review process should also consider and facilitate access to resource-efficient and environmentally friendly technological innovations. The newly industrialized countries in particular are calling for action in this area. For years now, the UN has been considering possible mechanisms of technology transfer.[96] In order for progress to be made in this area, conflicts over intellectual property issues would have to be resolved and incentives for technology transfer need to be created. The additional costs of "leapfrogging" in technological innovation could be covered, for example, with funds from the Global Environment Facility (GEF). Often, states do not take full advantage of the resources available from international funds like these. The review should help to identify needs and link countries with the assistance that they require, whether it be technical assistance, financing, or technology.

If all this can be achieved, the review could help to ensure that different parties' interests in two key areas

92 The five UN regional *groups* are the African Group, the Asia-Pacific, the Latin American and Caribbean Group, the Eastern European Group, and the Western European and Others Group, which includes the USA, Canada, Australia, and New Zealand (the so-called WEOG, to which Germany belongs as well). Not completely corresponding to this regional division, there are five UN Regional *Commissions* (UN ECA, ESCAP, ESCWA, ECLAC, and ECE), which are the local headquarters for the General Assembly and ECOSOC in their respective regions.

93 See Eibe Riedel, Jan-Michael Arend, and Ana María Suárez Franco, *Indicators, Benchmarks, Scoping, Assessment*, FES Background Paper (Berlin and Geneva: Friedrich Ebert Foundation, September 2010), http://www.fes-globalization.org/geneva/documents/HumanRights/6July10_BackgroundPaper_IBSA.pdf (accessed September 30, 2014). This "scoping process" is a key component of the "IBSA" procedure developed for use in the field of human rights.

94 For the climate field, see Climate Action Network (CAN), *Equity Reference Framework at the UNFCCC Process*, CAN Discussion Paper (2013). See also Metz, *Making a Pledge and Review System Work* (see note 65).

95 UNGA, *Format and Organizational Aspects of the HLPF* (see note 8), para. 8: "*Decides* that the forum, under the auspices of the Economic and Social Council, shall conduct regular reviews, starting in 2016, on the follow-up and implementation of sustainable development commitments and objectives, including those related to the means of implementation."

96 See the Post-2015 dialogues on the subject arranged under the direction of the General Assembly, http://www.un.org/en/ga/president/68/pdf/letters/3262014One_Day_Structured_Dialogues-26 March2014.pdf (accessed July 27, 2014). See also the report of the Secretary-General, which introduces concrete options for a mechanism, UNGA, *Options for a Facilitation Mechanism that Promotes the Development, Transfer and Dissemination of Clean and Environmentally Sound Technologies*, UN-Doc. A/67/348 (New York, September 2012).

are taken into account: means of implementation and differentiated responsibilities. The newly industrialized and developing countries could monitor whether the donor countries are living up to their financial commitments and are doing more to promote technology transfer. Donor countries could evaluate whether newly industrialized and developing countries are also mobilizing their own resources and whether the former also make their own funding commitments.

Second cycle: Reviewing the implementation of national commitments

In the second cycle, the review of implementation of national commitments would begin. Since national governments are accountable primarily to their own citizens, this review cycle should begin again at the *national* level, immediately after the discussion of the national commitments in the HLPF.

The Member States should produce national (progress) reports, which they should discuss in the draft stage in parliament, during consultation processes, and/or with independent sustainable development councils.[97] Efforts will need to be undertaken at an early stage to strengthen the necessary institutional capacities. In developing countries, the UN Country Teams should provide assistance upon request. Moreover, local forms of monitoring should be used to collect information on whether sustainability policies are actually having a useful impact at the local level. The outcomes of participatory monitoring and accountability processes led by civil society organizations (e.g., "citizen reviews") could be taken into consideration.[98]

Building on these national processes, the next step could be *regional* review processes. First, a regional peer review would accommodate those states that do not want to report, at least not directly or right away, at the UN level. In the regional review context, Member States could exchange ideas on joint and cross-border challenges with neighboring states and discuss best practices for implementing the SDGs at the national and local level. Second, the regional reviews could prepare for the review on the global level.[99] Regional reviews could include the following two elements:

- *A Country Review*: In the following, it is proposed that each year, the Member States in one of the five UN regional groups be called upon to voluntarily present their national reports on the implementation of their national commitments for achieving the Post-2015 goals (see Fig. 1, p. 25). At the regional level, this would leave five years to provide assistance to Member States in preparing for their reports and voluntary presentations in the HLPF framework at the global level.
- *A Thematic Review*: Starting in 2016, the five UN Regional Commissions could compile an annual synthesis report based on the input of their Member States on the respective annual thematic focus of the HLPF.[100] This report could focus on the overall situation in the thematic focus area and less on the performance of individual states. The annex to the report could list the relevant data from the Member States on their national Post-2015 commitments in the respective focus area.

The regional reviews could be organized by the UN Regional Commissions, which would need to be strengthened for this purpose. It would also be advisable that they cooperate with existing regional organizations and regional development banks. For efficiency reasons, it would make sense to build on existing review processes (see also p. 18).

Some have proposed the idea of carrying out the Post-2015 reviews exclusively at the regional level and discussing only the results of these reviews during the HLPF meetings. However, if national progress reports were not discussed at all at the global level, this would compromise the idea of shared responsibility and mutual review of national-level implementation, and it would also imply a loss of international visibility and of the resulting mutual peer pressure.

97 See also UNOSD, *2014 Incheon Communiqué. Ready to Deliver the Post-2015 agenda?* (Incheon [South Korea], April 11, 2014), http://www.unosd.org/content/documents/5672014%20Incheon%20Communique%202014-04-13%20A4.pdf (accessed July 27, 2014), para. 4.3: "NCSDs and similar institutions, together with national parliaments, administrative structures, and statistical and audit offices should provide comprehensive scrutiny programmes in order to report on and effectively communicate progress toward national sustainable development objectives."

98 See The World We Want, *Participatory Monitoring and Accountability* (online), http://www.worldwewant2015.org/accountability2015 (accessed July 17, 2014).

99 This follows UNGA, *Format and Organizational Aspects of the HLPF* (see note 8), para. 7f.: "Shall benefit from regional preparatory processes."

100 Ibid., para. 7c: "[Meetings of the forum s]hall have a *thematic focus* [...] in line with the thematic focus of the activities of the Council and consistent with the Post-2015 development agenda" (emphasis added).

The design of the HLPF Review at the global level

The resolution on the HLPF states that the review should build on the AMR conducted under the auspices of ECOSOC and should replace it as of 2016 (see also p. 15). The new HLPF Review could include both of the aforementioned components that have already also been parts of the AMR: a Thematic Review and a Mutual Country Review.

1) The *Thematic Review* could concentrate on the progress of implementation in the area of the HLPF's annually changing thematic focus. The regional thematic reports, the thematic report of the UN Secretary-General, and further reports from the UN entities responsible for the respective thematic area would form the basis for this first part of the global review in the HLPF, which would be quite similar to the thematic review process that has existed up to now in the AMR. This part of the review process would allow for in-depth analysis and would also provide an opportunity to focus more intensively on new and emerging, cross-cutting, or particularly urgent issues.

2) The second part of the HLPF Review on the global level would be the *Mutual Country Review*. This would take a broader view, covering all of the Post-2015 target areas and giving the individual Member States the opportunity to voluntarily present and discuss their national implementation experiences. Since the HLPF meets only eight days per year, the majority of the review process would be held on behalf of the HLPF under the auspices of ECOSOC (replacing the AMR). During the actual meeting of the HLPF in July, the results could be evaluated and discussed, which would provide the empirical basis for the *political leadership, guidance, and recommendations* that the HLPF is mandated to provide in global sustainability policy.

Following the model of the UPR process under the HRC, the HLPF Mutual Country Review (see Fig. 2, p. 29) should be based on three documents: a. National reports, b. Information from the UN entities, and c. Reports from Major Groups and other stakeholders.

a. At the start of the second cycle, beginning in 2021, the Member States in one of the regional groups would be asked to hand in their *national reports* on the implementation of their commitments (i.e., every five years, preferably no later than the end of September of the year prior to the review). The reports should cover all of the Post-2015 goals following a standardized template, but allowing states to focus on selected targets and indicators. The reports should not only describe what progress has been achieved but also discuss problems and obstacles to implementation. This is the precondition for learning and tailored support on critical issues. The national reports would be published online and should be supplemented by information from the UN entities and non-governmental groups (preferably by the end of January of the review year at the latest).

b. *UN institutions* should contribute their expertise and the existing country-specific data they have at their disposal on the various goal areas, also building on the results of existing sectoral reviews. To collect, condense, and communicate the relevant information, the UN should form a committee, building on the positive experiences with the former UN Interagency Committee on Sustainable Development and its Task Manager System. Such a committee could be organized under the Chief Executives Board for Coordination (CEB). It could follow the Inter-Agency and Expert Group on MDG Indicators and the Technical Support Team (TST), which up to now has supported MDG monitoring and in some cases the work of the negotiation group on the SDGs.

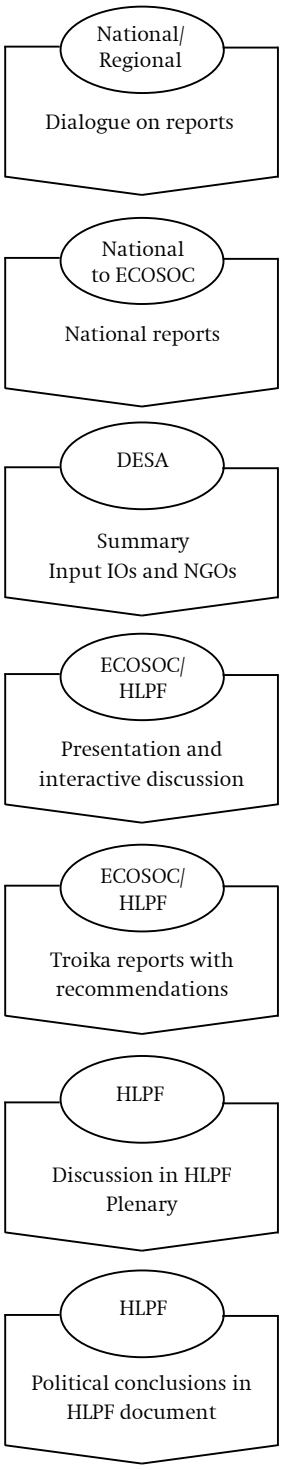
An alternative idea under consideration is to refer the Post-2015 review to the UN institutions responsible for a particular area (environmental issues would be dealt with by the UNEP, health issues by the WHO, etc.) and only present a synthesis report in the HLPF. However, this would undermine the integrated approach that has been taken toward the Post-2015 goals up to now, lead to multiple (possibly not very coherent) procedures, and above all, mean a loss of visibility. Nevertheless, the monitoring process will undoubtedly have to be organized in a decentralized, subsidiary way. The data collected would then form the basis for UN entities' analysis and for their reports for the Thematic Review.

The annual *Global Sustainable Development Report* (GSDR) of the UN Secretary-General could also provide an important basis for the HLPF Review. This report was proposed during the Rio+20 Conference, but there is still disagreement on what form it should take and what function it should serve in the Post-2015 review process.[101] One option would be to build on existing reports, to summarize the results of data monitoring

101 At the HLPF in July 2014 in New York, a draft report was presented but it contained only vague statements on how the GSDR would be linked to the future Post-2015 monitoring and review mechanisms, see http://sustainabledevelopment.un.org/index.php?menu=1621 (accessed July 28, 2014).

in all target areas and then have these analyzed and evaluated by experts ("assessment of assessments"). Here, indications of new challenges and scenario analyses would be particularly valuable. What remains under debate is who should write the report: the experts, the UN, or the participants in a multi-stakeholder process. In the latter case, in particular, the review could conceivably be linked with national and regional review processes.

Figure 2
Process of the Mutual Country Review in ECOSOC/HLPF



c. Non-governmental observers (Major Groups and other stakeholders) should be given the opportunity to submit positions and to provide information.[102] The resolution on the HLPF grants them extensive rights of participation.[103] As with the UPR, their reports and oral statements should be an integral component of the review process. Discussions should give priority to comments from national-level non-governmental civil society groups and other stakeholders as well as comments from independent national sustainable development councils (which all Member States should be urged to establish). An ombudsperson could mediate in cases of complaints concerning problems of adequate participation rights at the national, regional, or international level.

If Member States deem it appropriate, independent experts could also be asked to deliver reports on new or previously neglected issues on which there is little or no UN expertise or NGO activity. Many other review processes use external expertise (see above, pp. 15ff.). If states agree, the experts should be offered the opportunity to participate in the preparatory country or regional reviews and, if deemed necessary, to conduct further local visits. To take the (usually neglected) interests of future generations more fully into account, it would also be advisable to appoint a high-level representative for future generations to speak for their interests in the review process. Experts could also be commissioned to provide reports on other overarching and systemic questions.

To handle the massive quantity of data produced, all of the actors in the process should submit their reports to the secretariat serving the HLPF (following the model of the UPR), which would then compile the

102 See the recommendations by Strandenaes, Participatory Democracy (see note 46).

103 UNGA, Format and Organizational Aspects of the HLPF (see note 8), paragraphs 14 and 15, which include the statement: "Representatives of the major groups and other relevant stakeholders shall be allowed: To attend all official meetings of the forum."

relevant information into two synthesis reports that would supplement the national reports. This task would have to be completed at the latest by the end of February of the review year.

The core component of the Mutual Country Review should be the *presentation and discussion* of national reports, which could take place at the earliest in April on behalf of the HLPF under the auspices of the ECOSOC[104] (instead of the AMR). The presentations should be made by high-level elected officials from the capitals and should follow a harmonized format and template.[105] Of course, it would be impossible to present the national reports in their entirety. Instead, the states under review could be asked to discuss one *positive example of their implementation efforts* for each goal that could provide inspiration to other states, as well as one *area in which they face particular challenges* and would like feedback and support. Based on the three submitted reports and the presentation, the other states could then ask questions and give recommendations. To achieve the greatest possible transparency and participation, the meetings should be broadcast by live UN-TV webcast (as is the case with the UPR). Parallel to this, the secretariat should open up an Internet-based discussion (as is done with the AMR).[106]

Also following the UPR model, a *troika of countries* should be formed to facilitate and report on the process. It should consist of one country selected by the country under review from the same regional group and two countries from other regional groups, selected by lot from all eligible countries. Only countries that commit to participate in the review process themselves would be eligible. To prevent past or present conflicts from disrupting the process, countries that are or were recently involved in conflicts with the country under review would be excluded from membership in the troika. As in the UPR, countries under review should have the right to veto one of the three troika members.

After the presentations, the troika would compile a summary of the discussion and recommendations into a country report. Countries would then be asked to respond to all of the recommendations, either accepting or rejecting them. This would demand a speedy and efficient process. It would help if states appointed a high-level coordination body in advance to handle these decisions. All country reports, including recommendations and the commentaries by the state under review, would then be submitted to the HLPF. They could be discussed in the plenary of the HLPF in July, that is, during the first five days of the HLPF meeting under the auspices of the ECOSOC. As in the UPR, nongovernmental observers would be allowed to speak during this debate of the reports in the plenary sessions only.

During the subsequent three-day *ministerial segment*, negotiations should be conducted over how the results of the thematic and country reviews should be integrated into the *Ministerial Declaration* that would report the outcomes of the HLPF Review to the UN General Assembly.[107] Although this document could not be very comprehensive or in-depth, its main objective would be to highlight key issues and point out problems and potentials for improvement. Past experience with the UPR has shown that a multilateral impulse of this kind can be valuable—and although it may not always be fully effective, the overall outcomes are encouraging enough that the effort appears justified.

This is an extremely tight schedule—especially in view of the wide thematic scope of the Post-2015 goals and the coordination they will require. In order for such a review to be successful, the institutional capabilities on the side of the Member States and on the UN side will have to be strengthened. Above all, developing countries should be supported in their efforts in the context of the review process. For these and other tasks, capacities in the secretariat that serves the HLPF will need to be expanded and developed. The crucial importance of secretariats has become evident in the past (see also p. 22).[108] One possibility would be to

104 UNGA, *The Future We Want* (see note 1), para. 82: "We reaffirm that the Economic and Social Council is a principal body for policy review, policy dialogue and recommendations on issues of economic and social development."

105 See also ECOSOC, *The Contribution of the Economic and Social Council* (see note 44), para. 63: "While the reviews would remain voluntary, the mutual reviews would adopt a more rigorous approach, including developing a standardized analytical and reporting framework; developing follow-up and report back mechanisms; incorporating available national statistical data; and incorporating renewed participatory approaches into the process."

106 See the e-discussion platform at http://www.un.org/en/ecosoc/newfunct/amredis2014.shtml (accessed July 27, 2014).

107 According to UNGA, *Format and Organizational Aspects of the HLPF* (see note 8), para. 7g, this is to take place through the report of the Economic and Social Council to the General Assembly ("a negotiated ministerial declaration for inclusion in the report of the Council to the General Assembly").

108 See also Sikina Jinnah, "Singing the Unsung: Secretariats in Global Environmental Politics," in *The Roads from Rio. Lessons*

assign the parts of the United Nations Department of Economic and Social Affairs (UNDESA) Division for Sustainable Development (DSD) that have supported the CSD up to now and the parts of the Office for ECOSOC Support and Coordination (OESC) that are responsible for the AMR up to 2015 to the HLPF, and to equip them with the necessary resources. The secretariat should also make the information collected during the HLPF Reviews available on a website. This would make information on successful policies and best practices accessible even outside of the current review process and enable others to profit from the knowledge-sharing elements of the review.

Learned from Twenty Years of Multilateral Environmental Negotiations, ed. Pamela Chasek and Lynn M. Wagner (New York, 2012), 107–26; *Managers of Global Change: The Influence of International Environmental Bureaucracies*, ed. Frank Biermann and Bernd Siebenhüner (Cambridge, Mass., et al., 2009).

Reviewing Partnerships for Sustainable Development

The proposed "Commit and Review" process could and should also be open to non-governmental initiatives such as the *partnerships for sustainable development* launched in Johannesburg in 2002 and the *voluntary commitments* formulated in Rio in 2012. These multi-stakeholder initiatives and partnerships are seen by many as additional and very flexible means that could be used to effectively implement sustainable development goals. Up to now, however, the overall picture as regards their performance is mixed and somewhat disappointing.[109] The UN should therefore evaluate these initiatives to identify success factors and to determine which ones have potential to be replicated or scaled-up.

Recent developments

Member States have already discussed these issues in various formal and informal meetings. During the General Assembly and ECOSOC Joint Thematic Debate and Forum on Partnerships in April 2014, for example, a panel called for "a robust, transparent, comprehensive and independent accountability framework" for partnerships related to the Post-2015 development agenda, to "monitor progress at partnerships level".[110] During the debate, Brazil recommended that "UN involvement in partnerships must be subjected to the scrutiny and standards of intergovernmental bodies such as the General Assembly, ECOSOC or the High Level Political Forum".[111]

The UN Development Group convened Post-2015 dialogues on partnerships with civil society throughout 2014. NGOs in particular have urged that national and international platforms and accountability mechanisms be created as soon as possible for voluntary initiatives. The call for an ambitious accountability mechanism at the international level for voluntary commitments and partnerships was already heard prior to the Rio+20 conference.[112]

Some new UN approaches to partnerships and other non-governmental initiatives for sustainable development are already beginning to take shape. The secretariat has established specific criteria for inclusion in its new sustainable development knowledge platform *SD in Action*, a comprehensive registry of both partnerships and Rio+20 voluntary commitments:

"All commitments to be registered should be specific, measurable, funded, new [...] In order to facilitate periodic reporting on progress of implementation, it is important that at least one tangible deliverable is specified, along with the estimated timeline for completion. Resources devoted to the delivery of commitments should also be specified."[113]

So far, however, the mandate does not include a strong mechanism for monitoring or ensuring accountability. All initiatives are asked to provide voluntary periodic reports on their activities. To this end, UNDESA provides a downloadable questionnaire on the SMART (specific, measurable, achievable, resource-based, and time-bound) criteria that initiatives are asked to use as

109 *Transnational Partnerships. Effectively Providing for Sustainable Development?*, ed. Marianne Beisheim and Andrea Liese (Basingstoke, 2014). *Public-Private Partnerships for Sustainable Development: Emergence, Influence and Legitimacy*, ed. *Philipp Pattberg, Frank Biermann, Sander Chan, and Aysem Mert* (*Cheltenham 2012*). See also Karin Bäckstrand and M. Kylsäter, "Old wine in new bottles? The legitimation and delegitimation of UN public–private partnerships for sustainable development from the Johannesburg Summit to the Rio+20 Summit", *Globalizations*, 11(3), 331–47.

110 *Summary of the key messages of the General Assembly and ECOSOC Joint Thematic Debate/Forum on Partnerships "The role of partnerships in the implementation of the post-2015 development agenda"*, UN Headquarters, April 9–10, 2014, p. 3.

111 *United Nations: Latin America cautions against Partnerships without effective governance*, Third World Network Info Service on UN Sustainable Development, May 14, 2004.

112 See Joseph Foti, *Promises Kept: Ensuring Ambition and Accountability through a Rio+20 "Compendium of Commitments"*, Working Paper (Washington, D.C.: World Resources Institute, 2012); Marianne Beisheim, *Partnerships for Sustainable Development. Why and How Rio+20 Must Improve the Framework for Multi-stakeholder Partnerships*, SWP Research Paper 3/2012 (Berlin: Stiftung Wissenschaft und Politik, February 2012).

113 See UNCSD, *Registry of Commitments for Sustainable Development. Information Note* (New York, 2012), http://www.uncsd2012.org/content/documents/524Info%20Note_Registry%20of%20Commitments%20120712.pdf (accessed July 27, 2014).

a guideline for their activities. The monthly "SD in Action" newsletter and an annual special report are planned as means of providing information on the reports.[114] It remains unclear, however, whether the initiatives are actually complying with the reporting requirement. Already the criteria and guidelines for partnerships that were decided at CSD 11 in 2003 asked partnerships to submit a regular report at least on a biennial basis.[115] However, such obligations have never been implemented consistently and have been largely ignored by partnerships, without this resulting in any repercussions.[116] This should change.

Options for an improved accountability framework for partnerships

A basic option to improve the overall UN framework for partnerships would be to enhance the level of *transparency*. It would be advisable for the UN to require all partnerships in the SD in Action Registry to submit a report of activities along a standardized template at least once every two years. Partnerships that fail to submit reports should be reminded, and if they still fail to respond within a certain period, they should be excluded from the new registry. All incoming reports should be published on the SD in Action website with a comment function. This would enable civil society groups and other stakeholders to act as critical observers and watchdogs, pointing out discrepancies. To support this process, NGOs should use their websites to publish their own documentation.[117] Additionally, the UN should consider developing and defining *ex-ante minimum criteria* that partnerships would be expected to fulfill before being allowed to register.

Moreover, transnational initiatives could be asked to participate in a global-level review, and national initiatives could be evaluated as a part of national efforts. At the country level, governments could be encouraged to install a single, enabling multi-stakeholder platform with a build-in accountability mechanism for partnerships.[118] At the UN level, setting up a *central platform* for review would be one option. The resolution on the HLPF stipulates explicitly that the HLPF Review "shall provide a platform for partnerships."[119] The HLPF meeting in June 2014 featured a thematic session on "Multi-stakeholder partnerships and voluntary commitments for sustainable development—ensuring accountability for all"; the preparatory paper states the need to ensure accountability through an enabling institutional environment and relevant reporting requirements.[120] What this means precisely still remains to be negotiated and specified. It is also still unclear what will become of the former CSD, now ECOSOC *Forum on Partnerships*, which up to now has been more of a nonbinding platform for exchange and debate. Going beyond this, the UN Secretary-General has proposed that a new *partnership facility* be established[121] to ensure greater accountability and transparency.[122] While the idea of setting up additional accountability, integrity, transparency, and support

114 UNDESA, *Voluntary Commitments and Partnerships for Sustainable Development. A Special Edition of the SD in Action Newsletter*, New York 2013.

115 Cf. UNCSD, *Partnerships for Sustainable Development*, http://www.un.org/esa/sustdev/partnerships/partnerships_for_sd.pdf (accessed July 27, 2014), para. 23b. See also ECOSOC, *The Implementation Track for Agenda 21 and the Johannesburg Plan of Implementation: Future Programme, Organisation and Methods of Work of the Commission on Sustainable Development*, Draft Resolution Recommended by the Commission for Adoption by the Council (New York, May 14, 2003), http://www.un.org/esa/sustdev/csd/csd11/csd11res.pdf (accessed July 22, 2014).

116 In 2003, only half of the partnerships in the database responded to an update request from the CSD secretariat. Cf. Amy Stewart, *Partnerships for Water and Sanitation in Africa*, Report for the 16th Session of the Commission on Sustainable Development, London: Stakeholder Forum, April 2008, p. 14.

117 Cf., e.g., the "Cloud of Commitments" of the Natural Resources Defence Council (NRDC), http://www.cloudofcommitments. org (accessed October 9, 2014).

118 World Vision International, *Getting Intentional: Cross-sector Partnerships, Business and the Post-2015 Development Agenda* (Geneva et al., June 2014), 22.

119 UNGA, *Format and Organizational Aspects of the HLPF* (see note 8), para. 8c. "Shall provide a platform for partnerships, including through the participation of major groups and other stakeholders." See also President of the General Assembly, *Summary of the First Meeting of the High-Level Political Forum on Sustainable Development*, UN-Doc. A/68/588 (New York, November 2013), para. 27: "Leaders and other participants also recalled the agreement that the high-level political forum should provide, starting in 2016, a transparent, voluntary, State-led *review mechanism open to partnerships* to monitor commitments" (emphasis added).

120 UNDESA, *Multi-stakeholder partnerships for sustainable development*, HLPF Issue Brief 3, New York 2014.

121 UNGA, *A Life of Dignity for All. Accelerating Progress towards the Millennium Development Goals and Advancing the United Nations Development Agenda beyond 2015*, Report of the Secretary-General, UN-Doc. A/68/202 (New York, July 26, 2013), para. 69; see also: *Enhanced Cooperation between the United Nations and all Relevant Partners, in Particular the Private Sector*, Report of the Secretary-General, UN-Doc. A/68/326 (New York, August 2013).

122 UNGA, *Proposed Programme Budget for the Biennium 2014–2015*, UN-Doc. A/68/6, Sect. 1 (New York, May 21, 2013), 66f.

measures has been welcomed by most Member States, there have been serious conflicts around design, staffing, and funding issues.

Taking a more *decentralized* approach, the UN could alternatively ask its specialized agencies, commissions, funds, and programs to assess "their" partnerships in a consistent format and report the results to the HLPF. One underlying principle could be that partnerships should better align their deliverables to specific sustainable development goals and targets. This has already been promoted in the context of the Third International Conference on Small Island Developing States. Accordingly, partnerships would also have to align themselves with the intergovernmental legislation and principles of international organizations responsible for the particular area. The private sector should also work to see that their standards for sustainability reporting are adapted for use in reports produced in the framework of Post-2015 reviews.[123]

Some experts and NGOs have also urged that the UN contracts independent third-party reviews.[124] The UN Secretary-General's partnership initiative "Every Woman Every Child", for example, combines a Commission on Information and Accountability with an Independent Expert Reviewing Group. To keep the costs and effort for the process within bounds, however, one could consider limiting such expert reviews to only the most interesting or problematic partnerships.

123 For example, the progress reports of the Global Compact or other company sustainability reports created following the guidelines of the Global Reporting Initiative (GRI).
124 Bernstein, *The Role and Place of the High-Level Political Forum* (see note 55), and Steven Bernstein et al., *Coherent Governance, the UN and the SDGs*, Post2015/UNU-IAS Policy Brief No. 4 (Tokyo: United Nations University Institute for the Advanced Study of Sustainability, 2014).

Summary and Outlook

The "Commit and Review" process described here would give the states sovereign control over their national commitments, but it also ties these back into the globally agreed Post-2015 agenda and goals with the aim of increasing accountability and improving capacities for implementation. In a multi-level process (see Fig. 1, p. 25), the UN Member States would be called upon, first, to define and submit their *national commitments*. In the first five-year cycle of the review process (2016–2020), these national commitments could first be assessed for appropriateness and adequacy. This review should also determine at this stage whether states have the enabling *means of implementation* (e.g., funding, technology or expertise) at their disposal. If not, they should be provided with support to mobilize the necessary resources. This would provide an incentive for developing countries in particular to participate in the review process.

In the second five-year cycle, the *review of implementation* of national commitments would begin. Since governments are accountable first and foremost to their own populations, the review cycle should take the *national level* as its starting point. Here, governments should prepare annual progress reports and discuss them in the framework of consultation procedures with broad-based societal participation.

A *regional "peer review"* could build on these national processes, offer a platform for exchange between the countries in a region, and help to prepare for the global part of the review. It could build on existing regional reviews and be facilitated by the UN Regional Commissions in cooperation with other regional organizations and regional development banks.

On the *global level,* the Member States in a given regional group would be called upon to present their national reports in the framework of a mutual review process starting in 2021. The national reports should cover not only progress but also problems and obstacles to implementation. This is essential in promoting learning and providing targeted support on critical issues. In addition, the review could refer to the supplementary reports with information from the UN and Major Groups and other stakeholders. The centerpiece of the annual Mutual Country Reviews carried out under the auspices of the ECOSOC should be the voluntary presentations of the national reports and their interactive discussion. Countries could be encouraged to present one positive example for each of the 17 SDGs that could inspire others to follow suit, and discuss one particularly challenging area under each goal in which they would like to receive feedback and support. Then there would be a round of questions, and recommendations would be made. The outcome reports would be discussed during the HLPF plenary session, which would constitute an empirical basis for the political guidance the HLPF is mandated to provide. Accordingly, the review could also inform the HLPF's *Ministerial Declaration.*

Several issues still remain to be solved: The key question is, of course, what kind of universal Post-2015 review would be accepted by all of the UN Member States. The review process recommended here fully respects national sovereignty by working with national voluntary commitments and by focusing on the accountability of national governments to their own people. Accordingly, the process starts from the bottom up at the national level. Within the voluntary mutual review at the international level, states would be reviewed in line with the national targets and commitments that they set for *themselves*. To be effective, the review mechanism also needs to "show some teeth" by calling for a voluntary but universal mutual review, with high transparency and precise guidelines for review, and by involving non-governmental groups and experts. Another big question is whether the donor countries will accept having their commitments to provide means of implementation considered as an integral part of the review. SDG 17 is dealing with means of implementation and the global partnership for sustainable development and so are several targets under other SDGs —it would thus be logical to also review these commitments. In that context, the review should also evaluate national and transnational partnerships for sustainable development.

Questions also arise in regard to the practicability of the procedure and its financing. The process is quite complex—but the same can be said of the Post-2015 agenda itself, which covers nearly all of the areas in which the UN is active and also highlights key priorities in each of these areas as the focus of intensive

work starting in 2016. The review process needs to be adequate to these objectives. If many or even all Member States wanted to take part in the global-level review, not only would personnel capacities be stretched thin; time would be tight as well (bearing in mind the limited number of days on which ECOSOC and the HLPF meets). It also remains uncertain whether all of the Member States would be willing to make their own contributions to funding the review and, in addition, to create a fund for financial and technical assistance that could be used to support the least developed countries participating in the review.

The UN Member States are scheduled to complete their negotiations over the design of the monitoring and review mechanism for the Post-2015 SDGs and the HLPF review by September 2015. To create a Post-2015 review process that is acceptable to all as well as effective, it is important to emphasize the potential added value of such a review process and promote it internationally. A Mutual Review based on the principle of shared responsibility and reciprocity—in the spirit of the much-anticipated new Global Partnership for Sustainable Development—could help form the urgently needed multilateral consensus to work toward the Post-2015 agenda. Germany could campaign for this in Brussels, Geneva, New York, and in the framework of its G7/G8 presidency. In order to build mutual trust in this process, the German government should announce its voluntary participation in the HLPF review in 2016 with its revised sustainable development strategy.

Acronyms

AMR	Annual Ministerial Review
APEC	Asia-Pacific Economic Cooperation
APRM	African Peer Review Mechanism
AU	African Union
BMZ	German Federal Ministry for Economic Cooperation and Development
CAN	Climate Action Network
CBDR	Common but Differentiated Responsibilities
CEB	Chief Executives Board for Coordination
CSD	Commission on Sustainable Development
DCF	Development Cooperation Forum
DIE	Deutsches Institut für Entwicklungspolitik (German Development Institute, Bonn)
DSD	Division for Sustainable Development
ECA	(United Nations) Economic Commission for Africa
ECE	(United Nations) Economic Commission for Europe
ECLAC	(United Nations) Economic Commission for Latin America and the Caribbean
ECOSOC	Economic and Social Council
ERTs	Expert Review Teams
ESCAP	(United Nations) Economic and Social Commission for Asia and the Pacific
ESCWA	(United Nations) Economic and Social Commission for Western Asia
EU	European Union
G20	Group of 20
G77	Group of 77
GA	General Assembly
GEF	Global Environmental Facility
GRI	Global Reporting Initiative
GSDR	Global Sustainable Development Report
HLPF	High-level Political Forum on Sustainable Development
HRC	Human Rights Council
IBSA	Indicators, Benchmarks, Scoping, Assessment
ICESDF	Intergovernmental Committee of Experts on Sustainable Development Financing
IEAG	Independent Expert Advisory Group on a Data Revolution for Sustainable Development
INDCs	Intended Nationally Determined Contributions
IO	International Organization
JPoI	Johannesburg Plan of Implementation
LDCs	Least Developed Countries
MDGs	Millennium Development Goals
MRV	Monitoring, Reporting, and Verification
NCSDs	National Councils for Sustainable Development (and similar bodies)
NEPAD	New Partnership for Africa's Development
NGO	Non-Governmental Organization
NRDC	Natural Resources Defence Council
NSDS	National Sustainable Development Strategy
NVP	National Voluntary Presentations
OECD	Organisation for Economic Co-operation and Development
OECD-DAC	OECD Development Assistance Committee
OESC	Office for ECOSOC Support and Coordination
OHCHR	Office of the High Commissioner for Human Rights

OMC	Open Method of Coordination
OWG	Open Working Group
PBNE	Parlamentarischer Beirat für nachhaltige Entwicklung (Parliamentary Body for Sustainable Development)
PREE	Peer Review on Energy Efficiency
QCPR	Quadrennial Comprehensive Policy Review
RNE	Rat für Nachhaltige Entwicklung (German Council for Sustainable Development)
SD	Sustainable Development
SDGs	Sustainable Development Goals
SMART	Specific, Measurable, Achievable, Resource-Based, and Time-Bound
SuR	State under Review
TST	Technical Support Team
UN	United Nations
UNCED	United Nations Conference on Environment and Development (Rio 1992)
UNCSD	United Nations Conference on Sustainable Development (Rio 2012)
UNDESA	United Nations Department of Economic and Social Affairs
UNECA	United Nations Economic Commission for Africa
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNFCCC	United Nations Framework Convention on Climate Change
UNGA	United Nations General Assembly
UNOSD	United Nations Office for Sustainable Development
UPR	Universal Periodic Review
WEOG	Western European and Others Group
WHO	World Health Organization
WSSD	World Summit on Sustainable Development (Johannesburg 2002)
WTO	World Trade Organization