

ONE UNITED NATIONS: PLACING DEVELOPMENT FRONT AND CENTRE

SYNOPSIS

This South Centre Analytical Note discusses the key recommendations of the Report on the UN Panel on System-Wide Coherence (UN Doc. No. A/61/583, 20 November 2006). It points out some key issues that will need to be considered by the UN management and UN Member States in their discussions and deliberations on the way forward for the implementation of the report's recommendations. It stresses that the UN's role as the primary global governance institution, including over economic issues, should be maintained by ensuring that its normative analysis and policy-setting functions are not adversely affected by a shift towards more operational delivery of development assistance.

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I. Introduction

1. On 9 November 2006, the High-Level Panel on UN System-wide Coherence¹ appointed by then-UN Secretary-General Kofi Annan issued its report entitled “Delivering as One.”² In five major sections, the report recommended changes in:
 - (i) the way that the UN delivers on development assistance at the country level and at the organizational management level, including a review of institutional complementarities and duplications within the UN system;
 - (ii) the delivery of humanitarian assistance by the UN in terms of institutional coordination and funding;
 - (iii) the role of the UN in enhancing international environmental governance, especially in terms of the role and functions of the UN Environment Programme;
 - (iv) the work of the UN on cross-cutting issues such as sustainable development, gender equality, and human rights, in terms of institutional reorganization and activities; and
 - (v) the way in which both the UN and the Bretton Woods institutions relate to each other in their work.
2. This paper discusses each of the key recommendations of the Panel. It tries to highlight some issues that will need to be considered as the Panel’s recommendations are discussed in the UN system and are put into effect. The primary objective of any reforms in the UN system with respect to the areas covered by the Panel should be on strengthening the UN as the primary global economic governance institution that promotes policy-oriented and operational development assistance to the South.
3. Partly as a response to the issuance of the Panel’s report, the Chairs and Coordinators of the Group of 77 and China at their 41st meeting held in Rome in late February 2007 stated that:

¹ Co-chaired by Prime Minister Shaukat Aziz (Pakistan), Prime Minister Luisa Dias Diogo (Mozambique), and Prime Minister Jens Stoltenberg (Norway). The other members of the Panel were Mr. Gordon Brown, Chancellor of the Exchequer (United Kingdom); Mr. Mohamed El-Ashry, United Nations Foundation (Egypt); Mr. Robert Greenhill, Canadian International Development Agency (Canada); Ambassador Ruth Jacoby, Swedish Ministry of Foreign Affairs (Sweden); H.E. former President Ricardo Lagos (Chile); Mr. Louis Michel, European Commission (Belgium); H.E. former President Benjamin W. Mkapa (Tanzania); Mr. Jean-Michel Severino, French Development Agency (France); Ms. Josette Sheeran, US State Department (USA); Mr. Keizo Takemi, Ministry of Labour, Health and Welfare (Japan); Mr. Lennart Bage, International Fund for Agricultural Development; and Mr. Kemal Dervis, United Nations Development Programme.

² UN Doc. No. A/61/583, 20 November 2006 (hereafter Panel Report).

8. We emphasize that the reform process should strengthen the UN in its central role in promoting effective multilateralism and multilateral solutions to current and future global challenges, in strengthening the Organization's substantive capacity to fully promote and implement the principles and purposes of the UN Charter, and improving democratic decision-making and transparency in consultative processes on all issues. It should safeguard the principle of sovereign equality of Member States in administrative, financial and budgetary oversight and enhance the efficiency and effective implementation of all legislative mandates. Importantly, the reform process should strengthen accountability in the UN in the human resource management, procurement, and other financial and administrative affairs. The final result of the exercise should be to ensure that the Organization is able to implement the entire range of its mandates more effectively and efficiently. The voice of every Member State must be heard and respected, irrespective of their budgetary contributions to the Organization.

x x x

13. We look forward to the discussion of the High-level Panel on UN System-wide Coherence report entitled: "Delivering as One". We note that 8 "Pilots" of one-country approach are experiments and should be aligned with national priorities. In this context, it is vital, where required, to ensure that recipient Governments have the capacity to freely determine their own development strategies and priorities. Also, there cannot be a one-size fits all approach. While the UNDP's lead role is essential, the sectoral expertise and specialization of UN agencies should be preserved. The harmonization of the business practices of the UN funds and programmes and the specialized agencies will serve to increase coherence and efficiency. Greater coherence of policy orientations and operational activities and business practices of the UN system would enhance its effectiveness and efficiency and attract greater resources. However, several recommendations of the report require further in-depth consideration both by Member States and among the UN agencies. There are several other issues, not fully covered in the report which need to be addressed such as the quality and quantity of financial resources for operational activities, core and non-core resources, effective intergovernmental governance and coordination and cooperation with the BWIs and bilateral donors.³

4. The statement of the G-77 and China above lays down certain principles that should guide UN Member States' consideration of the Panel's report and its recommendations. This paper tries to further flesh out some of the points suggested by the G-77 and China.

II. One United Nations as the Primary Global Economic Governance Institution

5. The United Nations' Charter envisions a central role for the UN in harmonizing the actions of nations in achieving common ends, i.e. to maintain international peace and security, develop friendly relations among nations, achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and achieve international co-operation in promoting and encouraging respect for human rights and for

³ G-77 and China, Final Communiqué adopted by the 41st Meeting of the Chairmen/Coordinators of the Group of 77 Chapters, Rome, 26-27 February 2007, paras. 8 and 13.

fundamental freedoms for all.⁴ The UN is tasked to promote, inter alia, “a. higher standards of living, full employment, and conditions of economic and social progress and development; b. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation ...”⁵ through the work of the Economic and Social Council (ECOSOC).⁶

6. Intergovernmental organizations “established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields” are required to be brought into relationship with the UN through the ECOSOC.⁷ The ECOSOC, in turn, may coordinate the actions of these specialized agencies through consultations with and recommendations to such agencies, and may ask them to submit periodic reports on the steps taken by such agencies to carry out ECOSOC recommendations.⁸
7. Through ECOSOC, the UN was intended to serve as the overall policy-setting and norms-generating institution in the area of economic development. This is the reason why ECOSOC, under the UN Charter, may coordinate the work of UN specialized agencies (such as the World Bank, IMF, and the WTO) and obtain reports from them on how they are implementing ECOSOC recommendations. As the highest political body in the UN, the General Assembly, through its Second Committee, has oversight over the work of ECOSOC. The logic in this institutional architecture vis-à-vis economic policy as set out in the UN Charter is that UN specialized agencies should work together to promote the economic development policy objectives that have been recommended by the ECOSOC and approved by the UN General Assembly. This would tie in the work of the specialized agencies to the oversight of the UN General Assembly as the sole global body with universal State membership.
8. The UN Charter envisions the family of international organizations, headed by the UN, as working together to promote the objectives of the UN Charter. As such, UN political bodies such as the UN General Assembly and the ECOSOC are designed and were intended to have policy oversight and recommendatory functions over the work of UN specialized agencies (like the WTO and the Bretton Woods institutions) to ensure that there is policy coherence in the actions of these agencies.
9. Political constraints and considerations since the very beginning of the UN have meant that, with respect to global economic governance and policy, the UN’s ability to provide clear guidance and policy direction in this area has not lived up to its potential. At the same time, the Bretton Woods institutions and

⁴ UN Charter, art. I.

⁵ Id., art. 55.

⁶ Id., chapter X.

⁷ Id., art. 57.

⁸ Id., arts. 63 and 64.

the WTO, among others, have to a great extent taken over and dominated global economic policy discourse and norm-setting.

10. Both the World Bank and the IMF are legally considered as specialized UN agencies, on par with, for example, the International Labour Organization, the World Meteorological Organization, or the World Health Organization.⁹ However, both the Bank and the Fund have, since the very beginning in the late 1940s, operated independently of the UN. This has resulted in both the Bank and the Fund undertaking activities and promoting economic policies over the years that have tended to undermine the achievement of the UN's economic development promotion mandates. Neither have the Bank and the Fund been as forthcoming, until at least recently, as other UN specialized agencies in interacting with and reporting to the ECOSOC on the steps that they have taken to implement ECOSOC's recommendations.
11. The WTO is also considered as a UN specialized agency but on a "de facto" basis. Even though the Havana Charter on Trade and Employment, negotiated under ECOSOC auspices in 1947, never entered into force as the institutional framework for the General Agreement on Tariffs and Trade (GATT), the Interim Commission for the International Trade Organization (ICITO) which was established under the Havana Charter was never abolished. Instead, the ICITO became the secretariat to oversee the implementation of the GATT pending the entry into force of the Havana Charter. The GATT and its secretariat were seen as de facto being part of the UN system such that it was not deemed necessary for GATT Contracting Parties to enter into any agreement with ECOSOC. The relationship between the UN and GATT continues to serve as the basis for the relationship between the WTO and the UN.¹⁰
12. In recognition of this situation in which the Bretton Woods institutions and the WTO do not make any actual or substantive reference to the UN's development objectives with respect to their work, the G-77 and China, in their ministerial statement adopted on 29 May 2006 in Putrajaya, Malaysia, stressed that among the fundamental reforms that is required of the UN is "to provide policy directions and guidance to the Bretton Woods Institutions, the World Trade Organization and other relevant organizations and institutions that have an impact in the development of many countries."¹¹
13. The Panel's approach to inter-organizational coherence among the UN, the Bretton Woods institutions, and the WTO clearly sees the relationship

⁹ The agreements came into force on 15 November 1947. See UN Doc. A/349, 2 September 1947, and UN General Assembly Resolution 124(III) (150th plenary meeting, 15 November 1947). In virtually identical Art. I:2 provisions in their agreements, both the Bank and the Fund are described, and are "required to function as, ... independent international organization[s]".

¹⁰ WTO, Arrangements for Effective Cooperation with Other Intergovernmental Organizations: Relations between the WTO and the United Nations, WT/GC/W/10, 3 November 1995.

¹¹ See Statement on UN Reform adopted by the Special Ministerial Meeting of the Group of 77 and China, Putrajaya, Malaysia, 29 May 2006, para. 14, at <http://www.g77.org/Docs/putrajaya.htm>.

between these organizations as being of complementarity and appropriate division of labour. This vision is clearly different from what the UN and ECOSOC were originally designed to be.

14. However, the Panel's recommendation relevant to this issue focuses on having the BWIs and the UN work together to "remove unnecessary duplication, and to build on their respective strengths" through a process in which the heads of the BWIs (but not the WTO) and the UN would come up with formal agreements on their institutions' "respective roles and relations at the global and country level."¹² This effectively means that rather than providing policy directions and guidance to the BWIs as befits its role as the primary global governance institution, the UN is seen by the Panel as simply another international institution co-equal to the BWIs without any mandate or function of ensuring that the BWIs' (and, for that matter, the WTO's) activities are consistent with the UN's own actions in promoting the development of developing countries.
15. Another recommendation – an annual meeting (chaired by the UN Secretary-General) of the heads of the BWIs (but not the WTO), UNDP, and other UN agencies (such as WHO, FAO, ILO, UNESCO, but without any specific mention of UNCTAD) for the purpose of reviewing cooperation and ensuring policy consistency and coordination within the international development structure – also falls short of what the G-77 and China had envisioned as the proper coordinating and oversight role of the UN vis-à-vis the BWIs and the WTO.
16. The Panel's recommendations do not explicitly envision bringing the WTO at least within the scope of policy coherence, consistency and coordination under the UN. This is an omission that basically lets the WTO – albeit a separate international organization in its own right – free to undertake actions that may not necessarily be consistent with the UN's own vision of development. Steps should be taken to ensure that the WTO's work is also brought within the ambit of the ECOSOC's policy oversight.
17. Real and sustainable development should be the primary institutional focus and objective of the UN if it is to play its role as the primary global governance institution responsible for maintaining global peace, security, and prosperity. While the provision of humanitarian assistance, the protection of the environment, the promotion of gender equality, human rights, are all important objectives of the UN for which work must be done, such work must be within the context of improving the economic prospects of the poor and marginalized in the global community. These other issues are important aspects of development. These must be addressed at the same time as the fundamental conditions that perpetuate global and domestic social and economic injustices.

¹² Panel Report, para. 71.

18. In this context, the following objectives should shape the way and the direction of the UN's development work:¹³

- (i) **Financing for development** - more and better quality financial resources need to be made available to developing countries, especially to the poorest among them, for their development. This could be through ODA, debt cancellation and adjustment, foreign direct investment, etc. The international financial architecture needs to be fundamentally reformed to ensure financial systemic stability and promote growth and trade.
- (ii) **Trade** - trade is an important tool for assuring development gains, but it must be undertaken strategically. Hence, the revival and conclusion of the WTO's Doha negotiations should be predicated on a clear development package including: elimination of developed countries' agricultural subsidies and support; increased market access for developing country products into developed country markets; provision of technical and financial assistance to support the creation of trade capacity in the poorest countries; commodity price stabilization at fair levels;. Above all, developing countries' policy space in trade policy should be retained and maximized.
- (iii) **Industrial development** - industrial development is key to the development of developing countries. Industrial development must be based on national ownership and control of natural resources, horizontal and vertical linkages between agriculture, industry and services, and regional integration.
- (iv) **Technology and innovation** - access to technology, which is a vital component of any viable development strategy, must be ensured. This includes encouraging domestic innovation systems, including indigenous knowledge systems; reviewing and revising the restrictions on technology transfer and acquisition in the TRIPS and TRIMS agreements; improved investments into research and innovation on technologies that address problems of underdevelopment.
- (v) **Environment** - the deterioration in the global environment, including the reality of climate change and its attendant increasing environmental disasters and insecurity, means that sustainable development must become a central policy for both developed and developing countries. Global action to address environmental issues must be on the basis of common but differentiated responsibility and the polluter pays principle.

¹³ Based in large part on G-77 and China, Final Communiqué adopted by the 41st Meeting of the Chairmen/Coordinators of the Group of 77 Chapters, Rome, 26-27 February 2007, para. 4.

- (vi) **Migration** - new agreed approaches to the issue of migration and development need to be evolved, leading to a more active international cooperation and a coherent approach to enhance the development benefits of migration and reduce its negative political and human rights dimensions.
- (vii) **Achieving the MDGs and IADGs** - actions to achieve the MDGs and other internationally agreed development goals (IADGs) need to be accelerated and vastly improved, within countries and across countries.

19. Any reform of the UN should result in improving the UN's ability to deliver on the objectives described above.

III. One United Nations – Providing Development Assistance

A. Need to Address the Broader Development Policy Debate

20. The Panel's focus on improving the operational delivery of development assistance at the country level should not be at the expense of the UN being able to do more on: (i) providing the intellectual and analytical basis for various options with respect to national development policies and strategies; and (ii) taking the lead in the development of global economic policy norms to create an enabling global policy environment for the development of developing countries.
21. The provision of operational development assistance at the country level does not take place in a policy vacuum. Development assistance is shaped by the policy orientation and direction of those that provide it and presently also shapes the policy direction of those for whom it is intended. This should be reversed to that national policy priorities determine the content and direction of development assistance. The effective delivery of development assistance, in a manner which actually promotes increased and sustainable standards of living, production, and levels of employment in the beneficiary country, must be predicated on a policy package that is country-appropriate – i.e. based on a clear understanding of the country's specific developmental conditions, circumstances, and needs and priorities – and which the beneficiary country has helped design and will implement at its own pace and direction.
22. Focusing solely on improving the operational delivery of development assistance without looking at the broader discourse and debate over development policy could result in the UN simply addressing the symptoms of development failures rather than their root causes. It could mean that the UN leaves the field to other institutions whose economic policy prescriptions and recommendations have, in many cases, caused development failures in many developing countries.

23. Development and the effectiveness of development assistance also do not take place isolated from the broader development policy discourse outside the beneficiary country's borders. The broader international economic environment, and the policies that shape such environment, play a key role in determining whether changes in domestic macroeconomic policy and measures will bring about substantive economic benefits.
24. The UN, through its agencies such as UNDESA, UNDP, and UNCTAD, must help shape the external economic policy environment. UNCTAD, UNDP and UNDESA have long provided the UN with analytical and norm-formulating services regarding global economic policy. They should be strengthened. These agencies, within the context of their respective mandates, should be provided with additional resources – financial, human, and technical – so that they can bolster the ability of UN and its political organs (the General Assembly's Second Committee, the ECOSOC) to promote the UN Charter's economic development cooperation objectives.
25. UNCTAD, UNDP and UNDESA, with their long experience and expertise in critical economic thinking and the proposition of various development strategy solutions and policies, are all "mission-critical" agencies of the UN if it is to be able to properly deliver as "One United Nations" on development assistance. UNCTAD and UNDESA's analytical output should serve as the conceptual and analytical framework for the UN's development assistance work. Economic norm-setting in the UNCTAD context should also help shape the policy direction and parameters of such development assistance. At the same time, the "on the ground" experiences of UNDP, the regional economic commissions, and other UN agencies involved in the delivery of development assistance at the country level should also inform the work of UNCTAD and UNDESA, so that suggested economic development policies and strategies may be adjusted on the basis of empirical evidence and experience.

B. Improving the Operational Delivery of Development Assistance

26. Undertaking reforms in the way that the UN delivers development assistance has a long history. As early as 1969, the UN has already been engaged in studying how development assistance delivery can be improved.¹⁴ Virtually every attempt since then and up to the present has been focused around generally a similar set of issues, such as: improved country-level coordination among UN agencies; the extent of coordinative authority of a designated senior UN country officer; improvements in delivery methodologies and practices; the roles of, and coordination between, the Bretton Woods

¹⁴ See, e.g., Robert Jackson, *A STUDY OF THE CAPACITY OF THE UNITED NATIONS DEVELOPMENT SYSTEM* (1969). This study was commissioned by the UNDP Governing Council, who requested Sir Robert Jackson to conduct the study as an Independent Commissioner. See also Sakiko Fukuda-Parr, Carlos Lopes and Khalid Malik (Eds.), *CAPACITY FOR DEVELOPMENT: NEW SOLUTIONS TO OLD PROBLEMS* (2002); UNDP and UNICEF, *Capacity Development: an analysis and synthesis of its current conceptualisation and implications for practice* (1999).

institutions and the UN; possible changes in institutional machinery; and ensuring better resources for the UN's development work.

27. As implied in the "Delivering as One" title of its report, among the key reforms suggested by the Panel is the adoption of its "One United Nations" concept in the delivery of development assistance at the country level. This envisions having only one, centralized, UN presence in any given country in terms of: (i) the country programme to be implemented; (ii) in-country leadership and coordination; (iii) the budget; and (iv) administrative offices.¹⁵
28. The One UN concept recognizes that UN presence at the country level is currently widely dispersed among various UN agencies and programmes that have country-level operations. It then argues that "the current design of the UN system risks perpetuating a myriad of niche players, which individually will not have the influence and authority to secure a strong voice in national and global debates."¹⁶
29. To achieve the One UN concept at the country level, the Panel recommends that the various development activities currently being carried out by the UN's various agencies (e.g. UNDP, UNICEF, UNIFEM, etc.) at the country level be merged into a One Country Programme per country. Each One Country Programme would be led by the UN Resident Coordinator (this would be, as it currently is, the UNDP Resident Representative) for that country. The UN Resident Coordinator would have enhanced authority to coordinate and oversee the implementation of the One Country Programme by the various UN agencies represented in-country. The UNDP is the manager of the current UN Resident Coordinator system. The One Country Programme would have a single unified budgetary framework that shows the contributions of in-country UN agencies to the Programme. Finally, all in-country UN agencies, if appropriate, should share joint premises, common security infrastructure, and integrated management and administrative support systems with clear lines of accountability.
30. Furthermore, in line with the One UN concept recommended by the Panel, the authority to decide on the allocation of donor funding at the country level would no longer be vested in the various boards of UN agencies that deliver country-level development assistance (such as UNDP, UNFPA, etc.) since such authority would now be vested in the Sustainable Development Board.¹⁷
31. These recommendations for a One UN approach could have the positive effect envisaged by the Panel of streamlining and enhancing coherence and coordination in the delivery of development assistance by the UN at the country level.

¹⁵ See Panel Report, para. 17, Box 1.

¹⁶ *Id.*, para. 17.

¹⁷ The Panel states that "individual boards [of the various UN agencies] should continue to consider issues that require particular agency focus, including those relating to multiyear funding frameworks that reflect the approved strategic focus of each agency." Panel Report, para. 61.

32. On the other hand, depending on the administrative structures set up by the Board, fund allocation decisions for country level programmes and projects may be more difficult and take longer to process. It could lead to further bureaucratization and delays in the delivery of such development assistance. It could also lead to the adoption of a one-size-fits-all approach to country level development assistance. At present, the diversity of approaches, perspectives, methodologies, and systems used by various UN development assistance agencies represent unique and creative responses to specific development situations that each agency is mandated to address. Such diversity and creativity in responding to diverse development contexts may be lost by centralizing both funding allocation decisions and actual operational control at the country level.
33. There should therefore be a clear differentiation – what the Panel calls a “firewall” – between what UNDP does as an operational development assistance delivery organization and what it does as the coordinator for the UN’s development work. In-country UNDP Resident Representatives need to be conscious that their role as the in-country UNDP head will necessarily have to be different from their role as the coordinator for the delivery of development assistance by other UN agencies. One way of avoiding role confusion by the UNDP, and of avoiding the possibility that UNDP priorities could override the agency-specific priorities of other UN agencies, could be to differentiate the UNDP Resident Representative from the UN Resident Coordinator by designating another UNDP officer, or perhaps an officer from another UN agency, as the UN Resident Coordinator for purposes of the One Country Programme.
34. Another approach that retains flexibility for the UN’s agencies could be to establish, institutionalize, and strengthen country-level coordinating teams, composed of the heads of each UN agency present in-country and perhaps chaired on a rotating basis, to ensure that synergies are enhanced and duplication minimized among the various UN development assistance programmes and projects being implemented by their agencies in-country. Country level agency budgets that are crafted with a clear understanding of other agencies’ in-country work could also be discussed and worked out through this country coordinating team. Each country coordinating team could designate a specific contact point responsible for ensuring that the host country is kept informed of and can input into the work of the UN’s agencies in-country. Each UN agency in-country would be responsible for ensuring that the design and output of each of their development programmes and projects are nationally-owned, people-centered, and consistent with the host country’s development needs and priorities.
35. Furthermore, country ownership over the delivery of UN development assistance could be enhanced by ensuring that the host country’s government office responsible for development assistance coordination is an integral part of the One Country Programme team. The host country’s officials should be able to attend, participate in, and input into the meetings of the One Country Programme team. The UN Resident Coordinator should also ensure that all

lines of communications with the host country government are clear and transparent.

36. The Panel's recommendation for co-locating UN agencies in-country where appropriate into a One UN office is a positive suggestion that could help cut costs and maximize the potential for inter-agency synergy and coordination. Implementing this recommendation should also take into account the possibility that different UN agencies might have decided to locate their country offices in different locations because of specific circumstances or considerations relating to the implementation of their respective mandates in-country. Such agency-specific considerations should also be reflected in any decision to co-locate all UN agencies in-country.

IV. One United Nations – Providing Humanitarian Assistance

37. The Panel rightly recognizes that humanitarian assistance needs to be better managed. Its recommendation that stronger partnership arrangements between the UN, national governments, the International Red Cross and Red Crescent Movement, and humanitarian aid NGOs, based on the coordination and leadership roles of the Emergency Relief Coordinator at the global level and the Humanitarian Coordinator at the country level, should be pursued.¹⁸
38. Given UNDP's experience in country level development assistance, the Panel's recommendation that UNDP take the lead among UN agencies in developing capacity to work on development aspects of the post-disaster recovery process could also be looked at positively. At the same time, the expertise and experiences of the UN's humanitarian assistance delivery agencies – such as the WFP, UNICEF, UNHCR – must also be availed of in terms of shaping the policy context for the post-disaster recovery process. The long-term impact of humanitarian assistance provided to countries that have suffered war or natural disasters can only be assured if conditions of peace and economic development are put in place. Only the UN, through UNDP and other UN humanitarian aid agencies such as UNICEF, WFP, and UNHCR, has the moral legitimacy to take the lead in this task. This is recognized by the Panel in its recommendation that the UNDP should become the UN leader and coordinator for early recovery.¹⁹
39. The Panel's recommendations on reducing the risk that natural disasters pose to humanitarian, development and environmental approaches deserve serious consideration.²⁰ The UN's clear expertise in environmental, meteorological, development, and humanitarian aid issues makes it the logical candidate for ensuring a coordinated global approach to natural disaster risk reduction and mitigation – especially in the context of the foreseeable increase in natural

¹⁸ Panel Report, para. 24.

¹⁹ Id., para. 27.

²⁰ Id., paras. 28-29.

disasters arising from extreme weather events that may be associated with the phenomenon of global warming.

V. One United Nations – Addressing Global Environmental Challenges

40. Among the Panel's farthest-reaching recommendations is its recommendation to strengthen the UN Environment Programme (UNEP). It argues that improving the effectiveness and target action of the UN's environmental activities requires that "the system of international environmental governance be strengthened and made more coherent, featuring an upgraded UN Environment Programme with real authority as the UN's 'environment policy pillar.'"²¹
41. The Panel recognizes that sustainable environmental conditions form the foundation of a sustainable development process, and that environmental priorities cannot be separated from developmental priorities. It stresses that "there must be a strengthening of human, technical and financial capacities in developing countries to mainstream environmental issues in national decision-making...."²²
42. Unfortunately, by focusing on developing countries and their need to mainstream environmental issues, the Panel seems to have glossed over the principle of common but differentiated responsibility for the global environment. This principle recognizes that while both developed and developing countries have a common responsibility for the global environment, the greater responsibility for pro-actively addressing global environmental issues continues to rest with developed countries because of their greater responsibility for having caused global environmental damage. Therefore, collective action on the global environment must be predicated on the developed world doing more than what it is currently doing to combat global environmental degradation – both at home and assistance to developing countries to embark on an environmentally-sustainable development path.
43. Upgrading UNEP should focus on increasing UNEP's ability to provide leadership and guidance on environmental issues, especially on how to operationalize the principle of common but differentiated responsibility. UNEP's normative and analytical capacity, as the Panel states, should be strengthened, and its ability to provide environmental normative and analytical input into country-level development plans and programmes of both developed and developing countries should be supported.
44. The Panel's recommendation that the UN Secretary-General should commission an independent assessment of the current UN system of international environmental governance that would include "an analysis of

²¹ Panel Report, para. 39.

²² Id., para. 32.

proposals to upgrade UNEP from among a range of organizational models”²³ should be carefully and cautiously studied. The issue of international environmental governance, perhaps, is not so much whether UNEP’s organizational model prevents it from playing its due role as the UN’s lead agency for international environmental governance but rather on whether the approaches that have been used to date within the UN system (including UNEP) to address global environmental problems have focused too much on what developing countries should do instead of what developed and developing countries have done and ought to be doing to create a better and more sustainable global environment and to promote development in mutual partnership.

45. Hence, any “analysis of proposals to upgrade UNEP from among a range of organizational models” should not simply be focused on the proposals raised by some UN Member States for creating a new World Environment Organization. Such analysis should also include looking at how and why the existing UNEP structure may not be sufficient to match an expanded mandate and what could be done to strengthen it short of establishing a new multilateral organization.

VI. One United Nations – Sustainable Development, Gender Equality and Human Rights

46. The cross-cutting issues of sustainable development, gender equality, and human rights lie at the heart of what the UN should promote as the world’s global governance institution. The UN should be better enabled to deliver on these key issues. The Panel’s recommendations on sustainable development should be pursued vigorously.²⁴

A. Promoting Sustainable Development

47. Building a stronger partnership between UNEP’s normative functions in the field of international environmental governance and UNDP’s operational functions in the field of country-level development assistance delivery should, however, also encourage the contributions of other UN agencies involved in both normative and operational development policy – such as UNDESA, UNCTAD, the regional economic commissions, UNIDO, UNICEF, etc. Only through an operational partnership engaged in by the entire UN system – albeit with possible leadership from both UNEP and UNDP – can the UN system move forward on the objective of global sustainable development.
48. Furthermore, promoting sustainable development requires that a greater focus be given to ensuring that the work of the various multilateral environmental agreements (MEAs), the implementation of the rules of the WTO, and the policy prescriptions of the Bretton Woods institutions are consistent with what

²³ Id., para. 39.

²⁴ Id., para. 45.

the UN itself is doing in this area. There should be a more conscious and institutionalized connection between what the UN system is doing and what other global governance institutions are doing in promoting sustainable development.

49. The UN should work on further clarifying the conditions under which a mutually beneficial partnership for the promotion of sustainable development could be developed between North and South, where Southern and Northern commitments, needs, and priorities with respect to sustainable development could be matched with each other in a mutually supportive way.
50. Finally, work at the global level on promoting sustainable development is meaningful and effective only if translated into actual and operational policy at the country level. The expertise of the UN – through e.g. UNDP, WFP, UNICEF, its regional economic commissions, UNCTAD, etc. – in the operational delivery of development assistance and development policy advice to developing countries provides an extremely useful jumping off point for translating global sustainable development objectives into national level policy output. What needs to be done is to create a stronger institutional link in terms of the provision of normative policy advice at the international and the design and implementation of the actual policy at the national level.
51. In this regard, the UN Resident Coordinator under the One UN country approach should ensure that the appropriate skills and expertise necessary for the delivery of appropriate policy advice and development assistance with respect to sustainable development issues are made available to the host country.

B. Promoting Gender Equality

52. As with sustainable development, the promotion of gender equality and women empowerment is another issue that the UN system is well-positioned to pursue and in which it can play a pivotal role, as a result of its global reach and legitimacy and the wide range of activities that it is currently doing on this issue.
53. The Panel's recommendation that the coherence and impact of the UN's "gender architecture" could be enhanced by streamlining and consolidating three of the UN's existing gender institutions²⁵ should be seriously considered. However, care must be taken to ensure that the country level programmes and projects currently being delivered by UNIFEM will not be adversely affected. UNIFEM has developed great expertise in its field. Any consolidation should result in a stronger linkage between the UN's normative and analytical work on gender issues and its country level programming and policy advisory work. Furthermore, in the country delivery of policy advice and programmes with

²⁵ Id., para. 49. These agencies are the Office of the Special Advisor on Gender Issues and the Advancement of Women (OSAGI), the Division for the Advancement of Women, and the UN Development Fund for Women (UNIFEM).

respect to gender issues, it should be the UN's gender agencies (or the gender entity, if created) that should primarily determine the pace, content, and mode of delivery of such advice and programmes in consultation with the UN Resident Coordinator under the One UN country approach.

C. Promoting Human Rights

54. The promotion of human rights at the global level is a function that only the UN, as the sole universal global governance institution, can perform with credibility and legitimacy. The work of its human rights agencies, especially through the UN High Commissioner for Human Rights (OHCHR), has provided the UN system with the necessary expertise and skills to serve as the global leader in promoting human rights.
55. The Panel's recommendations on clarifying the lines of responsibility for the promotion of human rights within the UN system are worth considering.²⁶ The "dedicated support" that is recommended to be provided by OHCHR to the UN Resident Coordinator system headed by UNDP should result in a stronger linkage between the normative aspects of human rights promotion and the delivery of country level development assistance and policy advice.
56. Furthermore, a strengthened and more coherent UN system-wide approach to the promotion of human rights should also prioritize the promotion of economic, social and cultural rights, including the right to development, in addition to civil and political rights. In this regard, the OHCHR, UNDESA, UNCTAD, UNDP, UNEP, UNIFEM, UNICEF, the regional economic commissions, should work together at the global and country level to ensure that the protection and promotion of economic, social and cultural rights, including the right to development, form part and parcel of the country level development policy advice and assistance package to be delivered by the One UN country approach.

VII. Delivering on One UN

A. Changes in Organizational Mandates and Functions

57. UNDP's excellent work in the operational delivery of development assistance projects at the country-level; the ability of various UN agencies (such as the UNHCR and WFP) to deliver humanitarian assistance and relief; and the expertise of UN agencies doing research and policy analysis on development policy issues (such as UNDESA and UNCTAD), must all serve as the building blocks for further strengthening the UN in development and global economic governance. This means that the UN should be the **primary** global institution that coordinates global economic and social issues and policies, for example; assists its Member States in formulating domestic and regional development policy; and undertakes the direct and operational delivery of assistance

²⁶ Id., para. 51.

services to Member States as they seek to deal with social, economic, humanitarian and environmental issues from the national to the global level.

58. Currently, ECOSOC serves as the multilateral intergovernmental body in the UN to discuss and provide global consensus on international economic and social development policy, while UNCTAD is mandated to serve as the multilateral intergovernmental arm of the UN General Assembly to discuss and provide global consensus on international trade and related development policy. These two intergovernmental bodies are supported by their respective secretariats, such as UNDESA, a part of UN Headquarters that provides ECOSOC with broad macro-level policy research and analysis on economic and social development issues, and UNCTAD which provides broad macro-level policy research and analysis on trade and related development issues. In addition to UNDESA and UNCTAD, the UN regional economic commissions (UNECA, UNECE, UNECLAC, UNESCAP) are specialized bodies that provide regional Member States with a regional-level intergovernmental forum and the policy research and analysis support relating to regional-level economic, social, and other development issues. UNDP serves as the specialized agency of the UN for country-level operational delivery of development assistance, and also provides the UN system with policy analysis relating to human development issues. Other UN agencies (e.g. UNIFEM, UNICEF, etc.) have specialized mandates and country-level programmes established pursuant to their mandates.
59. Any changes to the mandates and roles of organizations created by the General Assembly (such as UNCTAD and UNIFEM) or by the Economic and Social Council may be made only through another act of the creating organ. This key principle of international institutional governance will need to be kept in mind should any work be undertaken to fulfill the recommendation of the Panel for the establishment of an “independent task force” that would, *inter alia*, “clearly delineate the roles of the UN and its funds, programmes and specialized agencies to ensure complementarity of mandates and to eliminate duplicated functions, making concrete recommendations for consolidating or merging UN entities where necessary.”²⁷
60. The process of ensuring the “complementarity of mandates and to eliminate duplicated functions” should ideally focus on strengthening existing agencies – especially those that are member-driven and which have their own mandates – with a view towards establishing better institutional coordination in all areas of their work and freeing up the resources needed to enhance their ability to deliver their mandated services.
61. The total restructuring of the UN, its activities, or its institutional structure cannot be the primary objective of ensuring system-wide coherence in the UN system. Rather, the primary objective should be to make the UN more accountable to its constituency, more capable of delivering its services, and enable it to live up to its role as the primary global governance institution in

²⁷ *Id.*, para. 55.

the political, economic, social, and environmental fields that is supportive of the South's sustainable development.

B. Strengthening Intergovernmental Structures

1. ECOSOC and the L-27

62. The Panel recommended changes in how the UN is going to be run. These include effecting changes in the functioning of the Economic and Social Council (ECOSOC). The Panel recommended that a Global Leaders Forum of the ECOSOC be created, to be called the "L-27" and comprising "the leaders of half its [the ECOSOC's] members, rotating on the basis of equitable geographic representation, with the participation of the executive heads of the major international economic and financial institutions."²⁸
63. This recommendation implies that a sub-set of the ECOSOC members would, in actuality, exercise the powers and functions that are currently vested in the 54 members of ECOSOC as a collective and collegial body under the UN Charter.²⁹ The Panel argues that having a smaller body within ECOSOC tasked to perform that functions that are vested by the UN Charter in ECOSOC as a whole would enable ECOSOC to better perform its policy coordination functions. But perhaps the problem is not so much the fact that the number of members in ECOSOC make it unwieldy and militate against it being able to carry out its UN Charter-mandated functions effectively, but rather more in the fact that historically, differences in perspectives among ECOSOC members in terms of what ECOSOC's functions are and how it should carry these out may have prevented ECOSOC from achieving its full potential. If those differences in perspectives continue to subsist among members, such differences are likely to continue to be reflected in a sub-set of such members and therefore the L-27 format might still not work.
64. Furthermore, creating the L-27 could have the effect of focusing ECOSOC members' attentions on getting themselves included in the Forum, to the detriment of the actual work that should be undertaken by ECOSOC as a whole. The L-27 could also have the effect of marginalizing the ECOSOC further as the UN system's main organ with respect to international economic, social, cultural, educational, health, and related matters (including human rights and freedoms) that has explicit oversight, coordinating and reportorial functions over the specialized agencies (including the BWIs). Marginalization of ECOSOC is clearly a situation not contemplated by the UN Charter.
65. Improving the functioning of ECOSOC and hence improving its ability to move the UN forward in terms of being a better delivery mechanism for development assistance to developing countries depends on ECOSOC members' willingness to cooperate and work together to exercise the functions

²⁸ *Id.*, para. 59.

²⁹ UN Charter, chapter X. The roles envisaged for the L-27 in the Panel's report (see Box 3 of para. 59 thereof) fall within the mandate of the ECOSOC.

that the ECOSOC is mandated to do under the UN Charter. It also depends on the extent to which ECOSOC members' differences in perspectives can be addressed so as to enable ECOSOC to arrive at a common shared understanding of what needs to be done and how to do it in terms of supporting and promoting equitable global development, especially in the South.

2. The Sustainable Development Board

66. The Panel recommended the establishment by ECOSOC of a "Sustainable Development Board" that would be accountable and would report to ECOSOC. This would "be responsible for operational coherence and coordination, and system-wide implementation of policies, for allocations of voluntary funding and for performance of the One UN at the country level"³⁰ as well as have the role of providing "the decision-making and monitoring framework for implementation of One UN at the country level."³¹ The Board's membership would be a "subset of member states on the basis of equitable geographic representation" in which member States would be represented by "senior staff from development, planning, finance and foreign ministries, with the appropriate skills and competencies."³² It seems to be implicit in the Panel's recommendation, but otherwise is not clear, that the Board's member States would be drawn from the ECOSOC's membership.
67. The Board, if and when established, should ensure that the experiences of UN agencies operating at the country level in terms of development assistance delivery and their responsiveness to specific country development contexts should form part of the context for the Board's own operations in determining funding allocations.
68. As conceived by the Panel, the Board determines the way in which the UN's resources dedicated to development assistance gets allocated. While such centralization may prove to be beneficial, it could on the other hand also lead to further bureaucratization and delays in the delivery of such development assistance. Rather than becoming flexible and nimble, responsive to specific country conditions as they change, this new set-up could instead render the UN less responsive to changing development assistance requirements and conditions.
69. Furthermore, the Board should also be always aware of the pitfalls of arriving at and recommending a one-size-fits-all approach to country level development assistance. As pointed out earlier above, the diversity of approaches, perspectives, methodologies, and systems used by various UN development assistance agencies represent unique and creative responses to specific development situations that each agency is mandated to address. This diversity should not be seen as an institutional weakness. Instead, it is a key

³⁰ Panel Report, para. 60.

³¹ Id., para. 61. See also Box 4 of para. 61.

³² Id., Box 4 of para. 61.

strength in the way that the UN delivers development assistance and, as such, it should be preserved. The main challenge then is in how to ensure that harmony and synergy are based on recognition of diversity.

70. While institutional consolidation and administrative streamlining in the operational delivery of development assistance are important organizational objectives, just as equally important is maintaining flexibility and responsiveness in such delivery. Viewed from this perspective, having a centralized system through the Sustainable Development Board might work to the UN's and its partners' long-term disadvantage in delivering on development assistance to those that need it as opposed to improving the way in which individual UN agencies, within their own mandates and processes, deliver on such assistance needs.

3. The UN Regional Economic Commissions

71. The Panel's recommendation that the UN's regional commissions (UNECE, UNECA, UNECLAC, and UNESCAP)³³ should serve as the regional catalysts for regional-level analytical and normative work, and for activities of a trans-boundary nature, will strengthen the role that these commissions play in their regions. Their work continues to be valuable and, in some cases, have been instrumental in providing the countries in their regions with fresh perspectives and ideas for development policy.
72. Attention must also be given to the vital role that the UN's regional economic commissions play in providing Member States and the UN system with economic policy research and analysis based on regional realities and differences which other agencies, such as UNDESA or UNCTAD, may not be able to provide. Such regionally-based and –focused analysis and research are very important in terms of being able to both translate at the regional level, and feed regional input into, the macro- and global-level policy research and analysis that are the forte of UNDESA (with respect to macro-economic research), UNDP (with respect to human development), and UNCTAD (with respect to trade and development). This “regional thinktank” role that the UN regional economic commissions play must not be lost in the process of rationalizing the UN's regional activities.
73. The Panel's recommendation on standardizing the definition of regions among all UN entities could also be seriously considered so as to prevent regional overlaps in the work of such UN entities (e.g. prevent overlaps between the work of UNECE and UNESCAP work in Central Asia). On the other hand, it might also be that there are functional considerations for varying definitions of regions among UN entities that should be taken into account to ensure that on-going UN programmes or projects in these regions do not suffer.

³³ Id., para. 67.

74. More caution, however, may need to be taken with respect to the Panel’s other recommendation of co-locating the regional offices of UN entities.³⁴ Any implementation of this recommendation should take into account the reasons why various UN entities have set up their regional offices in different locations. These may include not only political considerations but also other considerations such as ease of access, availability of trained staff, and the importance or relevance of the location to the issue that the particular UN agency selecting that location may be concerned with. Furthermore, the cost implications of transferring and consolidating various UN agencies’ regional offices from various locations into one single location will also need to be considered.

4. The UN Development Policy and Operations Group

75. The Panel also recommended the establishment of a “UN Development Policy and Operations Group” in order to promote “organizational coherence ... [and] to unify and integrate the UN’s global analytical and normative work with regional perspectives and country operations.”³⁵ The Group would be headed by the UNDP Administrator (to be called the “UN Development Coordinator”) and would be composed of the executive heads of UN funds, programmes, regional commissions, specialized agencies and the UN Secretariat. The Group would have a smaller Executive Committee consisting of the heads of UN funds, programmes and specialized agencies with significant portfolios, those with major cross-cutting mandates, as well as the head of UNDESA. The UN Development Coordinator chairing the Group would report and be accountable to the Sustainable Development Board.³⁶

76. It is not clear from the Panel’s recommendation whether the Group would subsume or supplant the functions currently being performed by the UN Chief Executives Board (UNCEB). Care should be taken to ensure that if the Group is established, there is no duplication of functions between the Group and UNCEB.

VIII. Conclusion

77. As the **primary** global governance institution, the UN **must not** be confined to simply becoming a humanitarian assistance agency and another operational provider of development assistance projects to developing countries. The development policy expertise found in its various agencies (especially in UNCTAD, UNDESA, UNDP, FAO, and UNIDO) provides the UN with the ability to play a significant role in assisting developing countries shape development strategies and in providing the forum to shape a more fair and equitable global trade, finance and macro-economic policy environment supportive of the South’s development.

³⁴ Id.

³⁵ Id., para. 64.

³⁶ Id., para. 65.

78. The UN's role, especially, in global economic governance must not be diluted by stripping away such development policy expertise and leaving to the Bretton Woods institutions, the World Trade Organization, and other institutions, the task of shaping and implementing the international policy frameworks relating to trade and finance. In this regard, more resources need to be provided to UN agencies – such as UNDESA, UNCTAD, and UNDP in their various fields – whose work supports developing countries in understanding and shaping appropriate development policies.
79. The UN, to really “deliver as one” on development, humanitarian assistance, and environmental governance, needs to be responsive to the demands and needs for global sustainable development expressed by its Member States, especially developing countries. This means that the focus for its programmes and projects must come from norms, policies and mandates derived from international consensus arrived at by its Member States and focused on development objectives.
80. “Delivering as One” should entail changing the way that one thinks of the UN. It is not simply the organization *primus inter pares*, among the wide range of other intergovernmental organizations that exist, to deal with issues on development, economics, trade, environment, human rights, etc. Rather, the UN is THE universal intergovernmental organization, mandated by its Charter to serve as the global oversight body laying down the overall policy framework that would promote equitable global development in all areas – economic, environmental, social, and cultural. This means that the UN must be supported, its administrative structure strengthened, its financial independence and stability ensured, and its oversight functions in the economic, social, cultural, and environmental fields respected.
81. The Panel Report's recommendations have to be carefully considered by UN Member States to ensure that the UN's ability to both shape the external policy environment that would be conducive to development and to deliver country-level development assistance would be enhanced.
82. In summary, intergovernmental discussions about the recommendations of the Panel Report should:
 - (i) Take into account the systemic implications of the Report's recommendations with respect to the UN's role as the primary global governance institution. Such role (and the UN's ability to fulfill it) should be preserved and strengthened, rather than diluted (by shifting the UN's focus to the operational delivery of development assistance). This implies operationally strengthening the ECOSOC's oversight functions over the work of the WTO and the Bretton Woods institutions, and enhancing the ability of the UN and its agencies to provide policy research and analysis with respect to systemic policy and structural issues that impact on developing countries' development prospects;

- (ii) Stress that UN system-wide coherence reform be undertaken on the basis of meeting clearly defined development objectives (see paragraph 18 above);
- (iii) Promote the ability of the UN, through its agencies, to help shape the external policy environment using norm-setting, policy analysis, and policy recommendatory activities, to promote the development of developing countries;
- (iv) Carefully consider the positive and negative practical and administrative implications of the One Country Programme recommendations of the Report on the country-level operational delivery of development assistance. Care must be taken to ensure that the One Country Programme approach does not result in the loss of agency- and situation-specific diversity and creativity in responding to diverse development contexts;
- (v) Take into account the need for a clear differentiation – what the Panel calls a “firewall” – between what UNDP does as an operational development assistance delivery agency and what it does as the coordinator for the UN’s development work through the One Country Programme;
- (vi) Consider other possible alternatives to enhancing country-level coherence, efficiency and efficacy in the delivery of development assistance;
- (vii) Move forward discussions on strengthening the UN’s humanitarian assistance role in the post-disaster recovery process through its greater involvement in supporting post-disaster development;
- (viii) Focus on increasing UNEP’s ability to provide leadership and guidance on environmental issues, especially on how to operationalize the principle of common but differentiated responsibility, and on strengthening UNEP’s normative and analytical capacity and its ability to provide environmental normative and analytical input into country-level development plans and programmes of both developed and developing countries;
- (ix) Include looking at how and why the existing UNEP structure may not be sufficient to match an expanded mandate on enhancing international environmental governance and what the alternatives could be to strengthen UNEP short of establishing a new international environmental organization;
- (x) Ensure that the appropriate skills and expertise necessary for the delivery of appropriate policy advice and development assistance

with respect to sustainable development issues are made available to the host country at the country-level;

- (xi) Ensure that, in streamlining the UN's gender equality work, the country level programmes and projects currently being delivered by UNIFEM will not be adversely affected. Any consolidation should result in a stronger linkage between the UN's normative and analytical work on gender issues and its country level programming and policy advisory work. Furthermore, in the country delivery of policy advice and programmes with respect to gender issues, it should be the UN's gender agencies that should primarily determine the pace, content, and mode of delivery of such advice and programmes in consultation with the UN Resident Coordinator under the One UN country approach;
- (xii) Establish a stronger linkage between the normative aspects of human rights promotion and the delivery of country level development assistance and policy advice. A strengthened and more coherent UN system-wide approach to the promotion of human rights should also prioritize the promotion of economic, social and cultural rights, including the right to development, in addition to civil and political rights;
- (xiii) Focus on strengthening existing agencies – especially those that are member-driven and which have their own mandates – with a view towards establishing better institutional coordination in all areas of their work and freeing up the resources needed to enhance their ability to deliver their mandated services;
- (xiv) Focus on strengthening ECOSOC's ability to fulfill its UN Charter-mandated functions, rather pare away some of its functions to be carried out by a smaller body such as the L-27;
- (xv) Stress that institutional consolidation and administrative streamlining in the operational delivery of development assistance are important organizational objectives, just as equally important is maintaining flexibility and responsiveness in such delivery. Hence, implementing the idea of a Sustainable Development Board should ensure that it helps improve the way in which individual UN agencies, within their own mandates and processes, deliver on such assistance needs; and
- (xvi) Ensure that the “regional thinktank” role that the UN regional economic commissions play is not lost in the process of rationalizing the UN's regional activities.
- (xvii) Ensure that the functions of the UN Development Policy and Operations Group are clearly defined to prevent any overlap with those being performed by the UN CEB.

READERSHIP SURVEY QUESTIONNAIRE
South Centre Analytical Note

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