

The Secretary-General's Retreat

Alpbach, 5-6 September 2010



Background Papers

PLENARY SESSION 1

RISING TO THE CHALLENGE – UN STRATEGIC CHOICES FOR THE IMMEDIATE FUTURE

Introduction

Over the past decade, the international community has been witnessing an unprecedented level of confluence of interlocking issues of global significance. The 2009 Secretary-General's Report on the Work of the Organization pointed to the multiple crises and the convergence of complex challenges related to the core business of the United Nations. The spectrum of intertwining issues transcending state borders is vast, and ranges from the financial and economic downturn, food insecurity, climate change, epidemics, migration, to complex armed conflict situations, human rights abuses, terrorism and transnational crime, proliferation of weapons, etc. As the only organization with the universal membership and a broad based multi-sectoral mandate, the United Nations needs to ensure bold leadership and strategic guidance in key policy areas in the context of a rapidly evolving global environment.

What has changed

The food crisis that came to prominence in 2008, with an urgent response from the UN, still looms large, in the world with a growing number of undernourished people, and with 1 out of 5 children under the age of five underweight. While the world economy is emerging from the global financial and economic downturn and economic growth forecasts for the developing world are optimistic, a jobless recovery threatens to slow down the pace of social progress. Most notably, high unemployment rates and worsening employment conditions for the working poor, including women in developing countries and migrant workers, require urgent action. Climate change impact, already affecting livelihoods of the most vulnerable, will worsen in the absence of global solutions and firm commitments. The international community is facing the surfacing of new types of humanitarian emergencies including those triggered by climate change and the food crisis, however, the effectiveness and timeliness of our humanitarian response still depends on voluntary ad hoc contributions and cumbersome coordination efforts. In many poorer countries, human security and achievements in the area of the Millennium Development Goals are threatened by instability and ongoing armed conflicts. In 2009, 42 million people had been displaced by conflict or persecution.

Mushrooming linkages between organized crime, drug trafficking, and corruption have a devastating impact on human security and environment. When intertwined, crimes considerably reduce poverty eradication and human development prospects in many states where border controls and law enforcement mechanisms are poor. Complex interlinkages between various types of criminal activities often serve to perpetuate armed conflicts or terrorism. As a result the environment under which peacekeeping and peacebuilding efforts currently take place is changing extremely fast. West Africa is a good example; it becomes a prominent transit point for drug trafficking from Latin America to Europe.

The linkages between multiple global challenges are also strongly influenced by the spread of new communication technologies, and transports revolution. New opportunities, and a new type of interconnectedness enhance sense of community with other people, but also allow easy networking of centrifugal forces. There is an urgent need for a proper analysis of the global mega trends that transcend borders, create risks and generate opportunities.

Risks versus opportunities: Revisiting the paradigm

The relevance and effectiveness of the United Nations' work increasingly depends on its capacity to turn risks into opportunities. There are a number of trends and dynamics that can be identified in five broad areas and that require increased attention.

First of all, the financial and economic meltdown has highlighted the importance of putting in place a proper financial regulatory framework. The much paraded reform of financial governance institutions has not gone far enough, and

the voting power of emerging players and developing world, in general, which demand a greater say on these matters remains inadequate. Worse, the crisis has served to perpetuate social inequalities by punishing the most vulnerable through reduced employment opportunities while the banking sector responsible for the downturn has benefitted from generous public financial injections. An enhanced political will is clearly needed to avoid return to status quo, to push forward regulatory mechanisms, and improve financial governance.

Second, the progress made on political solutions to the climate change issue is disappointing. A lack of commitment on behalf of governments is certainly an enormous obstacle. However, the international community needs to go beyond political solutions. Even if implemented, currently negotiated sanctions and green house gas emissions cuts will not guarantee the solution to the problem. The real challenge comes from the exponential growth of the global consumerist society driven by ever higher aspirations of the upper and middle layers in rich countries as well as expanding demand of emerging middle-class in developing countries. Our true ambition should be therefore creating incentives for the profound transformation of attitudes and consumption styles.

Third, threats to peace and security concerns the international community has to deal with have undergone a significant change, from predominantly inter-state conflicts to complex situations including intrastate armed or low intensity conflicts and transnational threats. As a result, a long way has been made from the traditional concept of peacekeeping missions mandated to impose respect for cease-fire by the two parties in inter-state conflicts. The scope of activities of UN peacekeeping missions has considerably expanded to include political outreach, support to government-led reconciliation efforts, civilian protection, countering organized crime, and trafficking, etc. UN peace operations are expected to adequately support capacity development efforts in areas of public administration, rule of law, and security. The growing international convergence on the normative framework opens up new avenues for more justice, better protection of human rights, and enduring peace. The linkages between justice and conflict prevention have been revisited. These are all opportunities to be seized to promote peace, justice and human rights.

Fourth, demographic trends and increased human mobility are reshaping modern societies. Internal migration that represents the largest portion of migration flows - around 740'000 out of the total of almost 1 million migrants - accelerates urbanization processes and poses new challenges in terms of management in large agglomerations with a high density of people and insufficient infrastructure and limited job access. Ensuring decent quality of life and adequate social conditions in rapidly growing urban centers is a major challenge, equally so, in developing countries responsible now for the biggest part of international migration. Migration from the South to the North modifies the ethnic composition and monolithic character of the host societies that are often characterized by ageing population and has a profound impact on cultural identities. There has been a strong resistance so far to adopt a solid international migration governance framework that could further promote the development gains of migration. Migration will, nevertheless, prevail in the long run. Transmigrants, whose multi-layered identities allow easier moves across cultural frontiers, already defy the notion of national borders.

Last but not least, new technologies profoundly transform the nature of human interaction and have a major impact on our perceptions, life styles, and value systems. They generate enormous opportunities in terms of enhanced and rapid communication, better knowledge sharing, and improved participation in decision making processes. This is the area where one sees opportunities much easier than notices hidden risks. Well devised policies aimed at ensuring equal access to technologies for all, as well as adoption of proper regulations will enable a clever use of technologies to enhance civil society's interaction with multilateral bodies.

In all these five areas, the United Nations will have an important role to play. The complexity and global character of the challenges listed above necessitate a global response that would complement effectively national approaches.

Need for a renewed multilateralism

It is being increasingly recognized that multilateralism is instrumental to the success of our response to global challenges. Existing multilateral mechanisms, however, will fall short of meeting their objectives unless significant progress is achieved on reforming these institutions.

The emergence of new multilateral groupings, including the G20, that came to prominence in the wake of the global recession; negotiating blocks such as those within the WTO or, more recently, during the Copenhagen Summit on Climate Change; the failures to enforce peace, rule of law and the protection of human rights; speculations on food prices, and health pandemics, signal that the complex challenges require complex solutions. These, in turn, would be possible only if the current multilateral framework is adjusted and fine-tuned. A call for more stringent regulatory frameworks in so many areas and new or improved, transparent and more accountable, international governance institutions in areas of finance and economy, migration, environment, has recently received a broad support precisely for this reason.

There has been a growing recognition of the need for a renewed multilateralism that would take into account the emerging voice of the South, including big players, poorest countries, and the reality of an emerging global public opinion. The 2009 Secretary-General's Report on the work of the Organization identified five essential features of the new multilateralism. The renewed interest in the concept of **Global Public Goods** within the academic community but also among the policy-makers is an essential element for new approaches. Its first and foremost contribution is raising awareness on the intrinsically global character of current challenges. The GPGs suggest that some issues of global concern can only be resolved with the active participation of all the countries; a single big effort of one country can benefit all; or else a free-rider problem and uneven consequences of a certain challenge for various stakeholders can prevent international community from a much needed action. Similarly, the global interconnectedness prompted the Secretary-General to conclude on the importance of an **integrated approach** that would promote the spill-over of achievements from one area into others, mutually reinforce their beneficial character, and promote desired development outcomes. Another essential feature - the new multilateralism should not lose sight of the **most vulnerable segments of the world population**. Its success can only be ensured through a **larger engagement of a broad range of stakeholders including civil society and private sector**. Finally, the Secretary-General underlined the need for the **revision of the current multilateral architecture** to make it more reflective of the 21st century and more effective in the face of this century's megatrends.

The UN is well positioned to promote multilateral and integrated approaches to tackle global challenges. However, the multiple crises represent a tremendous challenge to UN credibility demonstrating how much needs to be done to improve the effectiveness of the Organization's response.

Harnessing UN's capacity to respond

How do we transform the UN into a multilateral institution with the potential to fulfill the Secretary-General's expectations? How can we harness UN's capacity to foresee the upcoming crises, and to prevent or respond effectively? One lesson we have learnt from the multiple crises is that there is space for improvement in UN's forecasting function. The assessment, analysis, and proposal of effective solutions are all the key areas in which the Organization is expected to deliver. Strategic choices need to be made to boost UN's capacity to respond to global challenges. What choices will we make for the near future in terms of the key objectives, main focus areas, overall strategy, and delivery mechanisms?

To rise to the challenge, the UN should be able to take the lead in setting the global agenda, engage effectively with other multilateral, and regional organizations as well as civil society and non-state stakeholders, and transform itself into a tool to help implement the globally agreed objectives. For that to happen, it will be necessary to deeply reflect on the substance of sovereignty, and accept that changes in our perceptions are a good indication of the direction we are going.

Paper prepared by the United Nations Institute for Training and Research

The Secretary-General's Retreat 2010
Alpbach, Austria • 5–6 September 2010

PLENARY SESSION 2

**LATEST TRENDS IN INTERNATIONAL NEGOTIATIONS AND PROCESSES:
THE CLIMATE CHANGE'S CHALLENGE**

Introduction

Our planet's ability to sustain life, as we know it is under enormous strain. The human footprint resulting from rising greenhouse gas emissions, environmental degradation, increased resource consumption, rapid population growth and other demographic trends is approaching dangerous tipping points. The consequences – for our species, as well as other species and the ecosystems that sustain us – could be grave.

The next forty years will prove pivotal. By 2050, when global population growth is expected to crest, an estimated 9 billion people will inhabit our planet – nearly fifty percent more than today. By that same year – 2050 – according to the Intergovernmental Panel on Climate Change (IPCC), the world would need to cut greenhouse gas emissions by at least fifty percent to keep within a two degrees Celsius threshold and hence avert potential climate chaos. And many say the two degrees Celsius threshold is already too dangerous.

How will we provide a dignified life for all, while not irreparably damaging the planet that sustains us? **How will the world provide the clean water, food, shelter, energy and other resources needed by up to fifty percent more people, while simultaneously reducing global emissions by at least fifty percent?** How do we square this circle? And what does this mean for millions of the world's poorest people if we don't? For international security? For equity? For the world our children and future generations will inherit?

The "50-50-50 Challenge"

This, in a nutshell, is the **"50-50-50 Challenge"** that is facing humanity as a whole. Of course, it cannot be addressed by any single individual, nation or organization alone. But especially for the world body that is supposed to bring everybody together to tackle these types of global challenges, our ability to respond coherently and effectively could determine the UN's relevance – or lack thereof – in the 21st century.

We already know the elements of the response: nothing less than a fundamental transformation of the global economy is needed, one based on clean energy resources coupled with the proper policy framework and market incentives to support it. Nothing is more crucial to preventing run-away climate change than lifting billions out of poverty, protecting our planet, and fostering long-term peace and prosperity for all.

Now more than ever, we must connect the dots and address these issues simultaneously in all their complexity and interlinkages. Is the global governance structure, still dominated by national sovereignty, capable of responding with the coherence and speed needed? Can we harness the power of technology and markets to amplify the work of existing policy frameworks? Or do we need to push the 'reset' button and rethink global governance to meet the **"50-50-50 Challenge"**?

The Climate Change's Challenge on the International Agenda

The year 2009 saw unprecedented focus on climate change, culminating in the UN Conference on Climate Change in Copenhagen. Over 100 Heads of States and Government came together twice during the year to focus just on climate change – and there were other regional, mini summits throughout the year doing the same. The UN system was also able to mobilize in ways never before.

But since Copenhagen, the issue of climate change seems to have been slipping off the agenda. There seems to be an overarching sense of pessimism on the part of all actors that solutions, especially political ones, are elusive. Yet emissions continue to rise, the impacts continue to be worse than predicted, and the solutions that are being applied are not reaching the needed scale.

There is some good news to report after Copenhagen. We have had unprecedented mobilization of world's top leadership on climate, demonstrating that there is political will to do something. Also, the scientific and economic case for action has never been stronger. But we also have bad news: the negotiations are not moving forward as fast as the growth of emissions, and their adverse impacts. Nature is not in a position to negotiate. We are still very far from meeting scientific bottom-line. Decades-old issues of equity, trust, and power still unresolved, and current governance and negotiating structures not proving effective at resolving them. National sovereignty remains supreme. Is the UN system up to the task? The UN System – as a whole – has had a difficult time to connect the needs for implementation – as expressed in the UNFCCC negotiations – with what it does on ground supporting Member States on development and humanitarian issues like energy, food, peace and security.

The clock is ticking. Do we need a fundamental re-think? Many say we need to shift climate change from being an externality to the centre of the development process. But how? And will that work? Should we perhaps focus more on positive, incentives-based approaches (for encouraging low-carbon alternative development strategies), as opposed to the punitive approaches (of simply setting mitigation targets)? Moving from a 'should' to a 'could' to elicit the public support that is essential for mobilizing political will, and to translate that into action. Perhaps we should pursue both strategies, with one being complementary to the other?

We are over halfway between Copenhagen and Cancun – the place of the next UN Conference on Climate Change. While there is always some incremental progress to show, expectations for Cancun are being lowered by the day. The long-term objective of a comprehensive legally binding agreement is definitely not on the table for Cancun. Can we at least expect that an "implementation architecture" is adopted in Cancun focussing on a few concrete deliverables, such as reduced emissions from deforestation and land degradation (REDD), capacity building, technology centres, adaptation framework and financing, which will enable action on the ground now while negotiations on a comprehensive solution continue?

The world of the key actors in climate change has been changing. The emerging developing countries (Brazil, South Africa, India, China – the BASIC) have now become key players. Their current and future emissions are large, and increasing. They are also emerging as major economic, political and military powers to be reckoned with. The present US administration is more sympathetic to climate change issues than any other previous administration – yet it has been unable to deliver domestic legislation on climate change. Yet this is key for moving forward the intergovernmental negotiations.

And after the difficulties of adopting the Copenhagen Accord, many are saying that the multilateral process is unable to resolve these issues, and that one could consider going to smaller groupings, such as the MEF or the G20.

Ways Forward: "Connecting the Dots"

Over the years, the UN has invested a great deal in analysis. We have studied the constituent parts of the whole, and have created specialized bodies to address them. But synthesis – connecting the dots, making sense of the inter-linkages and providing ways to leverage progress across a range of issues (climate, water, food, energy, health) – has been historically a weak point.

By contrast, it should be the UN's strength – its unique added value. We have to put the pieces together, connect the dots, both conceptually and practically. At the conceptual level, the world hankers for a vision of a better future, going beyond the doom and gloom to something that can inspire, energize and win. At the practical level, through the UN system we have all kinds of expertise and capacities, even if not adequate resources, to actually do something. If

we strengthen our coherence and delivery “as One” we can show the way of addressing the global interconnected challenges of today and tomorrow.

How can we use the potential of this organization and its people to advance simultaneously on both the conceptual and the practical fronts? How can we synthesize and make sense of numerous data points from all Member States to come up with a big picture view of 21st century global sustainability, while addressing effectively each individual challenge like climate change, food and water scarcity, energy security, new and old diseases, biodiversity loss, and beyond?

Our vision for the future needs to be both compelling and credible. It needs to show how we can provide a dignified life for some nine billion people sharing one fragile planet in an equitable manner. Drawing from that vision, the Secretary-General could establish a handful of top priorities for multi-disciplinary, international action. Climate change already is one such priority. We have also set such priorities in the context of the MDGs, as well as in other treaty processes, such as for biodiversity, desertification, etc. But these dots remain unconnected dots. Can we rise to the challenge of coming up with strategies to connect them?

In addition to the various ongoing intergovernmental processes dealing with these issues, such as the Conference of the Parties of the UNFCCC, the CBD and CCD, UNEP’s Governing Council, the Commission for Sustainable Development, UNDP’s Executive Board – and the list goes on – in the next two years the UN system has at least two major opportunities to provide a compelling and credible vision of how it is prepared to support Member States.

First, the process leading to the UN Conference on Sustainable Development/Rio 2012, which has already started. Member States have embarked on negotiations towards an eventual outcome. But at this stage the outlook for the event is not very encouraging. While the desire for change seems to be there, the actual political and economic prerequisite to agree to change is not. At best, Member States know what they don’t want from this conference. But where is the vision? The UN has the secretariat of that process and can provide strategic input to make it more ambitious, action-oriented and substantive, based on our collective inputs.

On the 9th of August, the Secretary-General launched the High-level Panel on Global Sustainability (GPS), co-chaired by President Halonen of Finland and President Zuma of South Africa. The Panel has been tasked with reflecting on a new vision for sustainable growth and prosperity in a carbon-constrained world, along with mechanisms for achieving it, with its recommendations due by the end of 2011. Work on this Panel has barely started, and the first meeting will take place on the 19th of September.

Rio 2012 is an intergovernmental process with secretariat inputs; the High-level Panel is a group of eminent personalities with political experience in an out-of-the-box setting, again supported by a UN secretariat. These are two complementary processes, which, if handled properly not least from our part, can lead to a breakthrough in terms of the world’s overall approach to sustainable development and what can be done to achieve it.

Are we ready to empower the Secretary-General with our collective ideas on a different vision of sustainable development, one that will enable growth and prosperity, while respecting planetary boundaries? Furthermore, are we prepared to also prepare a strategic roadmap of how to get there? The Planet and the World are both waiting for it.

As a follow-up to the Retreat, the UN secretariats of the Rio 2012 process and the Global Sustainability Panel should engage the UN system in ways that will maximize their collective input into these processes to demonstrate the UN’s relevance in the 21st century.

Paper prepared by the Climate Change Support Team (Executive Office of the Secretary-General)

The Secretary-General's Retreat 2010
Alpbach, Austria • 5–6 September 2010

PLENARY SESSION 2

**LATEST TRENDS IN INTERNATIONAL NEGOTIATIONS AND PROCESSES:
FOOD AND NUTRITION SECURITY**

A System-wide Response and a Shared Strategic Vision

Since 2008, when the purchase price of food grains soared and prompted rioting in more than 30 locations, the international community has focused on both the immediate hardships faced by those short of food and the longer-term challenges of helping them become food secure. In April 2008 the CEB responded to the threats posed by rising food prices by seeking system-wide coherence around a comprehensive and unified response to food insecurity. The Heads of 22 United Nations Specialized Agencies, Funds, Programmes, UN Secretariat Departments, the World Trade Organization, the World Bank, the International Monetary Fund and the Organization for Economic Cooperation and Development were brought together in a High-Level Task Force (HLTF) on the Global Food Security Crisis, chaired by the UN Secretary-General.

This temporary and light-touch mechanism is designed to build on the strengths of the HLTF members: the HLTF's Comprehensive Framework for Action (CFA) – released in July 2008 – sets out a joint strategic vision. The vision is now being pursued by the HLTF Member agencies as they back longer-term responses to food security within countries.

Setting-up a Global Partnership

Towards the end of 2008 many stakeholders sought to encourage the creation of a Global Partnership on Agriculture and Food Security. While donor nations (led by the G8 during 2008 and 2009) wanted to emphasize an informal partnership of multiple actors based on agreed principles, many G77 governments and civil society actors sought arrangements that were legitimized through intergovernmental processes and chose to build on the remodeled Committee on World Food Security (CFS). These reforms all aim at improved governance and accountability for food and nutrition security within the framework of the Global Partnership for Agriculture, Food Security and Nutrition (GPAFSN).

A G8 Plus Initiative for Actions Led from the Country Level

The L'Aquila Food Security Initiative (AFSI), launched at the G8 Summit under the Italian Presidency, symbolized the transformation of the G8 into a much larger ad hoc group. Twenty-six nations (18 of them from the G20) and 14 organizations, including the UN system (Secretary-General as Chair of the HLTF) agreed to intensify their efforts to improve food and nutrition security, and work according to a set of principles:

- Support national governments taking the lead on strategies for better food security;
- Encourage comprehensive approaches that address all dimensions of food security;
- Reflect coordinated actions at all levels by all stakeholders;
- Make full use of our multilateral system; and
- Lead to increased spending and measurable results.

G8 countries and other donor nations (Australia, Netherlands, Spain, and Sweden) made commitments to a value of \$22 billion, \$6 billion of which is new money.¹

The principles – endorsed at the 2009 Summit on World Food Security – are now the Five Rome Principles for Sustainable Global Food Security.

¹ Individual pledging figures are reflected in the tracking table attached to the 2010 G8 Muskoka Accountability Report.

Where to Focus – Governance or Results?

The remainder of this paper focuses on where the UN system should focus its attention. The short answer is on Governance (including normative, technical assistance, monitoring, reporting, and coordination functions within the context of its support for intergovernmental negotiations and agreements) and on results (specifically those aspects of development practice that yield sustainable benefits for those most in need and least able to realize their human rights). In practice, however, choices have to be made and these are more challenging now than they were, say, five or ten years ago.

The l'Aquila Initiative is evolving. But there are differences in the emphases of Member States as they seek both to engage with the initiatives that are designed to give a boost to development priorities, and to encourage improvements in governance of actions around these priorities. Here are some specifics:

- Those Member States deeply engaged in the revitalization of the CFS – including representatives of newly emerging and G77 nations and several from civil society – would like to see the CFS managing the implementation of the l'Aquila initiative. This fits with their view that the CFS should be the overarching governance mechanism, given its legitimacy as a member state body. The UN system, particularly the Rome-based agriculture and food agencies, is centrally involved in supporting the evolution of the CFS, with its plans to develop a new Global Strategic Framework for Food and Nutrition Security, its High Level Panel of Experts and its efforts to ensure coordination and monitoring of all initiatives that bear on food security.
- Some of the Member States who are explicitly concerned with the implementation of the l'Aquila initiative acknowledge the need for better global governance of food security and nutrition but want to be sure that there are well co-ordinated systems in place for efficient and accountable management (and tracking) of international assistance – and they explicitly request the UN system to support the creation and operation of these systems especially at country and regional level.
- Several Member States – including some within the G8 and G20 - are explicitly backing both processes while requiring that they remain distinct. They expect the UN system to provide a link between the processes.
- The G20 requested the creation of a dedicated funding pathway – the World Bank-managed Global Agriculture and Food Security Programme (GAFSP) – with its own independent governance structure. At least four G20 members, some other OECD members and a philanthropic foundation are contributing to the GAFSP. There is an expectation that the UN entities and the World Bank will work closely together ensuring consistency between country level operations, normative and standard setting functions and support for national authorities as they develop investment strategies that can be backed through this GAFSP. The HLTF has helped ensure effective World Bank – UN cooperation.

Five years ago we could have generalized from this analysis. We would have concluded that (a) OECD Member States are primarily concerned with improved coherence and accountability of donor support for priority MDG-related actions through country-led processes (in line with Paris and Accra principles) and (b) the broader community of UN member states seeks to exercise collective governance of all actions related to food security and nutrition. This dichotomy always exposed one particular challenge – how to engage the interests of philanthropic foundations and businesses? Typically arrangements that involve all member states move slowly and are characterized by suspicion of attempts to engage the private sector as full partners. At the same time, initiatives championed by groups of donors are seen to lack legitimacy...The UN system has had to function in support of both – and to do this in an even handed way – and this has not always been appreciated by each group.

The situation now (2010) is more complex, with even greater challenges for the UN system. Development assistance funding is less readily available and the donors are ever more focused on demonstrable results. At the same time, newly emerging states are themselves providing more assistance but not necessarily through standard donor channels. Each group has demands of the UN system particularly in the area of food and nutrition which is characterized by much south-south cooperation and trade.

Conclusions

There has been considerable progress in all these areas as a result of the UN system High Level Task Force on Global Food Security which has enabled the Secretary-General and the UN system as a whole to bridge a number of challenging gaps in the international system. But there is room for more progress on patterns of working that encourage and reward common analyses, effective implementation and joint systems for monitoring progress, with a central role, at all times, for national authorities.

Annex

Ensuring that the UN System Continues to Add Value in Today's Context

There are five challenges that the multilateral – United Nations - system must address to reflect the demands of Member States and to add value to their collective processes so that they yield ever greater food and nutrition security for those who are most in need (and are least able to realize their right to food and nutrition).

- **Sustaining comprehensive approaches** in a way that links efforts (a) to improve smallholder farmers' food production and availability, (b) to ensure that all people are able to access the food they need (and enjoy their right to food), (c) to increase the likelihood that the most vulnerable people can utilize (and be adequately nourished by) the food they eat – and (d) to do this in ways that take account of climate change, access to land and water scarcity.
 - This means that UN system agencies have to share and pursue one overarching analytical perspective on the issues being faced by communities and nations affected by food insecurity, and on response options (analyzed from technical, institutional and political perspectives) within each country and region);
 - To help achieve this, the CFA is being revised as a basis for the HLTF's analysis, engagement and action – in close cooperation with the CFS' strategic work. The challenge is to ensure that the CFA principles and recommendations are reflected in the work of agencies, especially within countries.
- **Encouraging effective support for country-led and regional actions** that improve food and nutrition security and include (a) joint investment planning, (b) coordinated stewardship (c) mutual accountability and (d) predictability and trust at national, regional and global levels.
 - This implies an important role for HLTF entities, working through existing mechanisms at the interface between national authorities and other country-level stakeholders, regional platforms, multilateral banks and global intergovernmental arrangements, to support these country-led processes;
 - At the same time, donors expect to see clear results, and an analysis of successes and failures, through global programmes which standardize progress assessments and compare what is happening in countries. Member-state run governance fights shy of such comparisons. Donors' needs for robust accountability have to be squared with the principles of country ownership and leadership. HLTF entities can help to bridge this challenging gap.
- **Linking together a broad range of public sector, business and civil society partners**, ensuring that global arrangements for partnering contribute to more effective action and outcomes at local and national levels.
 - This requires that partners are able to engage in ways that ensure the participation of stakeholders from local, national and regional levels, engagement of the research community, and a welcome to those with quite narrow interests from civil society and business.
 - The UN system – via the HLTF – should be in a position to help partners to make effective contributions to agreed outcomes and to have their interests taken into account in any discourse about "global governance". This is another gap that has to be bridged.

- **Ensuring strong contributions by the different elements of the multilateral system** – working together at all levels while maintaining respect for diverse mandates; ensuring that synergy results in more effective outcomes without establishing additional bureaucracy.
 - This implies a far greater emphasis on effective systems for the joint design and implementation of effective actions by different UN systems entities, with a greater appreciation of the roles, comparative advantage and optimal interagency working arrangements;
 - Single communications from heads of HLTF entities to their country representatives are always to be preferred to agency-specific communications. Emphasis must always be given to the importance of effective joint working – characterized by harmony, synergy and coherence, and a willingness to partner with others. Again this is not easy – the gaps between practices of individual agencies are often very hard to bridge at country level.
- **Tracking progress, and communicating both intentions and results at country, regional and global levels.**
 - This implies a need for HLTF entities to work together tracking and illuminating ways in which their individual and collective contributions add value;
 - They also need coherent and comprehensible message boards that can be well used by all.

Paper prepared by the Office of the Special Representative of the United Nations Secretary-General for Food Security and Nutrition

PLENARY SESSION 2

**LATEST TRENDS IN INTERNATIONAL NEGOTIATIONS AND PROCESSES:
GLOBAL HEALTH**

Introduction

The importance of health to economic productivity, social stability, security, human rights and poverty reduction has been firmly demonstrated. Global health is gaining prominence and recognition as an engine for global development – with the health-related MDGs continuing to serve as the barometer of progress. Within an environment where the centrality of health is increasingly recognised, the United Nations (UN) agencies, funds and programmes should be increasingly positioned as the collective, expert leadership for global health. Within this role, UN system leaders can work together to further elevate health at the political level. Global health is a leaders-level issue. The UN should support world leaders to do all they can to work effectively together, mobilise all types of required resources and secure a healthy, safe and better world.

The Global Health's Challenges

The UN is already at the centre of global health activities and debates. Vigilance in the face of disease outbreaks and humanitarian crises, as well as sustained support to countries' programmes has delivered notable success. Yet significant challenges remain in securing better health for many communities around the world. This is largely due to deficient health systems, threats to health security posed by emerging diseases, and profound inequities – illustrating a failure to allocate adequate resources to healthcare for the poor, women and children. A summary of current and future challenges on some key global health issues follows:

- The H1N1 influenza pandemic reminded us of the rapid spread of new pathogens and demonstrated the effectiveness of the International Health Regulations led by the World Health Organization. The Director-General of World Health Organization was joined by the Secretary-General in promoting access to pandemic vaccines, and through the UN steering group on influenza coordination, ensuring a coordinated response to the H1N1 pandemic. The response, which included delivery of H1N1 vaccines to at least 83 developing countries, must be sustained at an appropriate level so that countries are equipped in the event of a further outbreak. Strong vaccine supply and delivery systems have been highlighted by the H1N1 pandemic as a critical need.
- There has been tremendous progress against malaria over a short period of time: over 150 million insecticide treated nets were delivered to Africa in the two year period 2008-2009, and nine countries have reduced child deaths by over fifty percent. However, malaria still kills over 800,000 people a year, most of them children under five and pregnant women. If we can continue on the current trajectory of ramping up efforts, we could achieve the previously-unimaginable goal of zero deaths from malaria by 2015.
- We have seen measurable forward movement in the AIDS response, which is an integral part of the development agenda. Since 2001, global rates of new infections have decreased by 17 per cent. At the same time, HIV treatment access in low- and middle-income countries increased ten-fold over a span of just five years - bringing to four million the number of people on antiretroviral therapy at the end of 2008. We have the tools and techniques today to virtually eliminate mother-to-child HIV transmission. HIV-based stigma and discrimination are being confronted more strongly, as demonstrated by several countries that have lifted decades-old travel restrictions against people living with HIV. Yet real challenges remain. AIDS remains the leading cause of death among women of reproductive age worldwide. Shortfalls in public financing threaten the progress made in curbing the epidemic's spread and saving the lives of those infected. Four out of five low- and middle-income countries are currently not on track to reach their Universal Access targets.
- Improved food and nutrition security is essential for achieving better health, particularly for women and children. Yet under-nutrition contributes to one-third of deaths among children world-wide. Advances in

policy, such as an increasing emphasis on the need for nutrition-sensitive development, coupled with targeted nutrition-specific interventions, should help drive progress. A group of committed stakeholders has recently developed a 'Framework for Action to Scale Up Nutrition' (SUN Framework) which addresses these two lines of activities and has been endorsed by more than 100 organisations.

- Progress on both maternal and child has been made in some of the world's poorest countries. The *2010 Countdown Decade Report* cites that 19 of the 68 countries being followed are on track to achieve MDG 4. New vaccines now offer an opportunity to tackle the two biggest killers of children – diarrhea and pneumonia – which would significantly reduce the number of preventable child deaths. On maternal health, the critical indicator of a functioning health system, the world has made unacceptably slow progress. At least 200 million women still lack access to family-planning services, and an estimated 70,000 girls aged 15-19 die each year from pregnancy and childbirth-related deaths, including unsafe abortion.
- The prevention and control of non-communicable diseases such as cardiovascular diseases, cancers, chronic respiratory diseases and diabetes is emerging as a key issue for countries across the world. These most prominent non-communicable diseases are commonly linked to risk factors such as tobacco use, alcohol abuse, an unhealthy diet, physical inactivity and environmental carcinogens. They have economic, social, gender, political, behavioural and environmental determinants and will require an explicit multi-sector and locally- applicable response.

Ways Forward

Going forward, the UN system will be both scrutinized and assessed on its ability to work together, capitalise on innovation – for example in the area of information technology - and remain a leader at the centre of the global health discourse. At this critical juncture – with five years left to meet the MDGs – we can and must reassert the centrality of the UN in global health, building on the tremendous assets of the UN system and advancing our work towards system-wide coherence. The health and development architecture can be simplified through rigorously applying “delivering as one” principles to the UN's work related to health. Already, WHO, UNICEF, UNFPA, UNAIDS and the World Bank are working together to harmonise their effort in support of countries' national health policies, strategies and plans and their implementation. The United Nations Development Assistance Frameworks (UNDAFs) are a specific avenue whereby countries can be supported to better address health challenges and ensure that links are forged with other sectors.

The links between global health, gender equality, HIV/AIDS and other pressing challenges, such as climate change and food security are increasingly understood by many stakeholders. Significant value could be generated through countries' efforts to translate these links into joined-up action on the ground. Inter-sectoral approaches must recognize the many links not only among the health-related MDGs, but also between those MDGs and the rest of the goals. For example, countries must address persistent inequities – in particular related to gender. Here, the evidence is telling: in countries with similar levels of economic development, the higher the social status of women, the lower the maternal mortality rates.

This past year, the UN Secretary-General has called for renewed focus on achieving the health-related Millennium Development Goals – putting the health of women and children at the centre of efforts. *The Global Strategy for Women's and Children's Health* has brought together a range of stakeholders, from governments and UN entities to foundations and the business community as part of a global effort. The global effort seeks to build upon and revitalize existing commitments, secure new commitments from a range of influential partners, and provide organization and accountability for delivery at the highest levels. This strategy is one example of a key opportunity that the UN and its partners can build on. It should be utilized both as an advocacy tool and a strategic framework by which new partners can be engaged in the work of the UN, and through which existing partnerships can be strengthened.

For the UN agencies, funds and programmes working on health related issues, the next five years offer a time-limited opportunity to build on recent progress and the current position of health as a prime mover for global development. A continued focus on results, innovation and partnership will be critical in order for the UN's strong technical and operational work to be elevated, understood and supported at the highest political levels across the globe.

Paper prepared by the Strategic Planning Unit (Executive Office of the Secretary-General)

The Secretary-General's Retreat 2010
Alpbach, Austria • 5–6 September 2010

PLENARY SESSION 2

**LATEST TRENDS IN INTERNATIONAL NEGOTIATIONS AND PROCESSES:
THE UNITED NATIONS SYSTEM AND THE G20**

Background

The G20 was set up among Finance Ministers of major economies after the 1997-1998 Asian crisis by then US Deputy Treasury Secretary Summers, with then Canadian Finance Minister Martin becoming the first chair. Martin tried -- without success -- to organize a parallel leaders' meeting after becoming Prime Minister. In October 2008, the UN Secretary-General concurred with President Sarkozy's suggestion to convene such a leaders' meeting on the financial crisis at the United Nations in New York. Later, President Sarkozy spoke to President Bush, and at the insistence of the White House, the venue of the meeting was changed to Washington. Subsequent meetings have been held in London in April 2009, in Pittsburgh in September 2009 and in Toronto in June 2010. The next summit is scheduled to be held in November in Seoul, Republic of Korea.

UN engagement with the G20

The Secretary-General has participated in all the G20 summits held so far. He has also made efforts to influence the agendas and outcomes of these summits. The SG's letter to G20 leaders before the London summit set a \$1 trillion target for the recovery effort. It also drew attention to how cross-border public investments in renewable energy as well as smallholder food agriculture would not only contribute to economic recovery, but also to addressing climate change, food security and development challenges.

The SG's letter before the Toronto Summit sought to address the G20's fiscal concerns, e.g. by raising the need for international cooperation on tax matters, while reminding the G20 leaders of the importance of full engagement with inclusive multilateralism, i.e. the UN. The SG also sought support for his joint action plan for women's and children's health besides calling for inclusive growth and a green recovery.

At its first three summit level meetings, the G20 was quite successful in co-ordinating international countercyclical responses to the crisis by trying to ensure affordable credit flows, encouraging fiscal stimuli and limiting protectionist responses. At Toronto, however, agreement remained elusive on how best to address fiscal sustainability. Meanwhile, earlier concerns about inflation have given way to new concerns about deflation.

Recent fiscal crises have increased pressure to cut back on reflationary efforts despite the continued fragility of the recovery, as well as very high unemployment and vulnerable employment rates. ODA tends to be very vulnerable to fiscal cuts, even as significantly greater efforts will be needed to achieve the MDGs and the other internationally agreed development goals after the recent setbacks associated with the food, climate and financial crises and their ramifications. There also seems to be little agreement on the desirability of financial transactions taxes and the earlier commitment to financial regulatory reform.

Despite their significance, the leaders' meetings remain ad hoc, with the host government greatly influencing arrangements for each meeting. The UN's involvement at the preparatory or sherpa level has been uneven over the last 22 months. The UN's non-involvement with the Finance Ministers and their Deputies remains a distinct disadvantage, especially in engaging on substantive issues.

As of now, Member States remain divided over the nature of UN engagement with the G20, with non-G20 member states only in agreement that the UN should engage on its own terms, rather than on G20 terms. The Chairs of the G20 have made efforts to engage with the larger membership of the UN by holding consultations prior to the summits as well as briefings after the meetings. Some Member States, through the Group on Global Governance (3G), have

proposed finding modalities for connecting with the G20, including through 'variable geometry'. These discussions are still on-going.

The G20 was quite successful in co-ordinating international countercyclical responses to the crisis by trying to ensure affordable credit flows, encouraging fiscal stimuli, limiting protectionist responses and greatly augmenting IMF resources. However, fiscal sustainability, the fragility of the recovery, financial regulatory reform, financial and currency transactions taxes as well as other reform matters continue to remain formidable challenges.

At the Seoul summit in November, the RoK government will be adding financial safety nets as well as development to the G20 agenda. These initiatives provide an important new opportunity for the Secretary-General to impress upon the G20 the need for meeting their commitments in the context of the UN system as the legitimate embodiment of inclusive multilateralism. Hence, it will be crucial to build on these opportunities to strengthen UN engagement, including the SG's participation.

The Seoul Summit and Beyond

- **Working Group on Development.** The recent establishment by the G20 sherpas of its first Working Group -- on Development -- provides a new G20 platform where the UN can make an impact. Many in the G20 emphasize growth, and believe that the UN emphasis on the MDGs has detracted from the earlier development policy emphasis on growth. While growth is essential, it is not sufficient for balanced and sustainable development, as emphasized in the UN development agenda to achieve the internationally agreed development goals. Such concerns were expressed by several members at the G20 Development Working Group meeting, but none linked the G20 development initiative to the UN except for some mention of the MDGs. The G20 members should be persuaded that engaging with the UN system will be appreciated by the rest of the international community and will also be advantageous to the G20.

The co-Chairs of the Working Group -- Korea and South Africa -- have invited G20 members and international organizations to present proposals for its multi-year action plan consistent with its Framework for Strong, Sustained and Balanced Growth. As of now, the G20's initial thinking on priority areas has emphasized innovation, infrastructure, human resource development, investment and job creation and food security. They are developing strict criteria² for selecting priorities for the plan. The SG has initiated rapid system-wide engagement, through UNDG and EC-ESA, to prepare the UN system submission. Building on the Global Pulse report, the UN can link its work on vulnerability to the G20 interest in promoting growth with resilience.

- **Engaging with Finance Ministers.** The G20 develops most of its policy positions and initiatives at the meetings of Finance Ministers and their Deputies who have set up several working and expert groups, mainly on macro-financial issues. The absence of the UN from these processes and meetings puts it at a decided disadvantage in policy discussions, even on development issues, however narrowly defined. Moreover, the UN continues to be marginalized from all G20 macro-financial discussions despite their importance for sustainable development and social progress as well as the UN's acknowledged macroeconomic analytical track record.

It is therefore urgent to secure UN participation at the meetings of Finance Ministers and their Deputies. If the issue comes up at the next G20 Finance Deputies meeting in Gwangju on 4-5 September (when we are scheduled to meet in Alpbach, Tyrol, Austria), it is important that UN participation has enough support. We have commitments of support from half the sherpas at Seoul in July, mainly from developing countries, but it is not clear how effectively they have communicated with their respective Finance Deputies in capitals.

² Proposals will only be adopted as G20 priorities if they *fully meet these criteria*. Although not yet settled, the criteria are likely to include: growth and resilience oriented; focus on innovation and private sector involvement; address challenges of a global and systemic nature (considering G20 strengths in international coordination and cooperation); supplement existing initiatives; action and results oriented; involve mutual accountability of all development partners.

For enhanced UN system participation in G20 meetings and processes, it will be crucial for all members of the UNDG and EC-ESA to work together, effectively and strategically, with the G20 members. The ILO heightened its involvement before Pittsburgh last September through the G20 Employment and Labour Ministers' initiative, and UNCTAD now contributes to the G20 Mutual Assessment Process and the G20 work on investment. As the UN in New York and Geneva has limited contact with Finance Ministers, the regional commissions with such contacts could play an important advocacy role in this effort. The MDG Summit Outcome will offer another important opportunity to ensure that Finance Ministers develop a greater interest and stake in the UN, especially if it significantly advances Financing for Development initiatives and processes, e.g. on international tax cooperation and sovereign debt workouts.

Ways forward

The Seoul Summit offers a unique opportunity for the United Nations to strengthen its engagement with the G20. While the Korean host has made special efforts to engage the UN, there is still much heavy lifting to be done by and for the UN system.

- The SG's leadership and system wide support and advocacy would greatly help secure a more significant role for the UN system on the G20 platform, especially through involvement with the Finance Ministers' and Deputies' meetings and processes.
- The UN system inputs to the G20 Development Working Group's proposed action plan must be strategic while taking full cognizance of the G20's strict criteria for selection and prioritization.
- We must also start planning for the medium-term as France will have the G20 presidency in 2011 and Mexico in 2012.

Paper prepared by the United Nations Department of Economic and Social Affairs

The Secretary-General's Retreat 2010
Alpbach, Austria • 5–6 September 2010

PLENARY SESSION 3

THE YEAR OF THE MDGs: WHAT DO WE WANT TO ACHIEVE?

Introduction

A successful Summit should generate a renewed political commitment to achieve the MDGs and lead to a global action agenda that specifies clear and unambiguous roles and concrete strategies for action for all stakeholders to support MDG acceleration and achieve the 2015 targets.

Preparations for the MDG Summit

Preparations for the Summit are well under way. The MDG Task Team, comprising over 15 UN entities established to coordinate UN system-wide activities in preparation for the MDG Summit, has met regularly since February. Focusing on the key message that the MDGs can be achieved, UN entities have launched a number of reports (including two of the three major analytical reports mandated by the GA) and organised regional and global MDG-related events. The Secretary-General has also established an MDG Advocacy Group consisting of eminent personalities tasked with helping the Secretary-General to build political will and mobilize global action on the MDGs ahead of the Summit, and to support and advocate MDG implementation by their target date of 2015.

In March, the Secretary-General launched the Report “Keeping the promise: A forward-looking review to promote an agreed action agenda to achieve the MDGs by 2015”. The report presents information on progress made in achieving the MDGs through a comprehensive review of successes, best practices and lessons learned, obstacles and gaps, and challenges and opportunities, leading to concrete strategies for action. Together with other documents and processes, the report is the foundation for Member States negotiations on the outcome document.

The global “2010 MDG Report” was released in June. It confirms trends of success and uneven progress, and states that the developing world as a whole can meet the poverty reduction target by 2015, despite significant setbacks due to the 2008-2009 economic and financial downturn, and the food and energy crises. Although the overall poverty rate is still expected to fall to 15 per cent by 2015, poverty rates will be slightly higher in 2015 than they would have been had the world economy grown steadily at its pre-crisis pace. The report states that without a major push forward, many of the MDG targets are likely to be missed in most regions. Old and new challenges threaten to further slow progress in some areas or even undo successes achieved so far.

The MDG Gap Task Force is reviewing and assessing progress on commitments made under MDG 8 ‘Develop a global partnership for development’, including ODA and access to market, medicine and new technologies. The 2010 Gap Task Force report will also include an analysis on delivery gaps, coverage gaps and country level needs gaps. A preliminary draft of the report was released to member states on July 2nd.

In June 2010, UNDP released “What will it take to achieve the Millennium Development Goals? - An International Assessment”. Based on a review of 50 country studies as well as consultations with Member States and partner agencies, it complements the recommendations contained in the Secretary-General’s report. It finds that acceleration of progress over the next five years will need to focus on continuing proven strategies, policies and interventions and making a radical break with those that do not work.

The UNDG Policy Network for the MDGs has released a publication on “MDG Good Practices”, looking at various constraints and challenges in achieving the Goals, in each country’s context. It presents a diverse range of nationally-led programmes, policy interventions and locally-tailored support to address specific challenges. Most significantly, they demonstrate that, even under resource-constrained circumstances, there are innovative ways of overcoming obstacles to accelerate progress.

The UN has also supported several MDG related events, such as the DFID Conference on the MDGs “Agenda 2010: The Turning Point on Poverty,” held in London, UK, on 11 March 2010; the Europe and CIS MDG +10 Regional Conference, held in Istanbul, Turkey, from 9 to 10 June 2010; the High-Level Event on MDG 8 hosted by the Spanish Government in Madrid, Spain, from 9 to 10 June 2010; and the Summit of the African Union held in Kampala, Uganda, from 19 to 27 July 2010, under the theme “Maternal, Infant and Child Health and Development in Africa”.

Efforts by the Secretary-General and the UN system, along with Member States, have effectively positioned the Summit process in terms not only of accelerating MDG progress but also mobilizing action on the broader development agenda. The latest version of the draft Summit outcome document reflects the four components identified in the Secretary-General’s Policy Committee decision as priorities:

- Need for urgent action to accelerate MDG progress;
- Links between the MDGs and broader UN agenda, as well as addressing the multiple and interrelated crises, including the financial and economic crisis, volatile energy prices, growing concerns over food insecurity, the increasing challenges posed by climate change as well as promotion of human rights and good governance;
- Recognition of the special needs and challenges faced by countries in conflict/post-crisis zones; and
- Need for investment in development, especially in areas that directly address MDG implementation gaps and current challenges.

Recently, the Secretary-General has used the G8 and G20 Summit processes to draw attention to investing in the MDGs as a critical component of sustaining the global recovery and putting the world economy on the path to a stronger, more sustainable, inclusive and balanced growth. He has warned leaders of the G8 and G20 countries not to use global economic and financial difficulties as ‘an excuse’ to neglect previous pledges of billions of dollars for the world’s poor – for doubling aid to Africa, food security, malaria and AIDS programs and maternal and child health care.

The Way Forward

With five years to go to the target date for attaining the MDGs, it is important to build upon the many successes already achieved to accelerate progress towards the MDGs. With the right policies, adequate investment and reliable international support, the MDGs remain achievable. Today, we have the resources and knowledge to achieve the MDGs. What is required is the commitment to effectively pursue the strategies, policies and interventions that have accelerated progress on multiple MDGs. In the remaining weeks before the MDG Summit, bilateral engagements with Member States by the Secretary-General and senior UN officials should focus on pressing for actions to bridge the implementation gaps under MDG-8. In order to address the other MDGs, the UN also needs to strengthen the coordinated support it offers to countries that wish to accelerate MDG progress.

Strategies and Actions for MDG Implementation

Drawing on the reports that have been prepared in advance of the Summit, the following strategies and actions are flagged as priorities:

- Support country-led development strategies, including national ownership, institutional capacity, and localised MDG support;
- Foster inclusive economic growth through promotion of employment-intensive growth and addressing rural-urban inequalities by supporting agriculture;
- Facilitate early conclusion of a development-oriented multilateral trade Round and provide 100 per cent duty-free and quota-free market access to exports from least developed countries;
- Increase public investments in education, health, water and sanitation, and infrastructure;
- Invest in women and girls. Ensuring girls’ access to health and education helps to make progress on all the MDGs, as does ensuring women’s access to equal rights;
- Scale up interventions to ensure universal social protection and expand employment programmes;

- Support climate adaptation, enhance and expand energy access and promote low-carbon development;
- Invest and support programmes that reduce vulnerability to extreme weather events and natural disasters, like hurricanes, flooding, droughts, tsunamis, and outbursts of glaciers in developing countries;
- Accelerate domestic resource mobilisation to finance the MDGs and encourage establishment of progressive taxes and increase efficiency of public spending;
- Enhance efforts towards international tax cooperation and innovative financing;
- Accelerate full delivery on existing aid commitments, especially to those most in need, including specific plans from governments (e.g. revised timelines for meeting the G8 Gleneagles commitments to increase annual aid by USD\$50 billion by 2010, with half the total going to Africa). Improve the predictability and effectiveness of aid, reduce aid fragmentation, and highlight the importance of budget support;
- Address inequalities that limit the benefits of growth for excluded populations;
- Invest in better monitoring and evaluation of indicators to ensure accountability by all development partners and stakeholders;
- Establish mechanism for orderly sovereign debt workouts;
- Facilitate access to affordable essential medicines and new technologies for development.

Most of these recommendations are reflected in some form in the draft outcome document that is being negotiated.

Final consideration

The UN will need to plan for the period immediately after the summit and discuss within the UNCG Task Force on MDGs on how best to execute the various outcomes of the MDG Summit.

Policy suggestions:

- The fall sessions of HLCF and CEB should be used to discuss the Summit follow-up and implementation;
- Launch of an inter-agency working group mandated with the study of options for creation of a mutual accountability framework, to be eventually presented to Member States; and
- It is essential that the operational support offered to countries to accelerate progress on the MDG Progress entails better coordination among UN entities. A multi-sectoral approach and coordination among various UN entities is essential to best utilize the apparent synergies in MDG implementation.

Paper prepared by the United Nations Department of Economic and Social Affairs and the United Nations Development Programme

PLENARY SESSION 4

SHIFTING GEARS ON OUR HR SYSTEMS – A MODERN WORK FORCE AT HEADQUARTERS AND IN THE FIELD

Introduction

Member States expect the United Nations to deliver on its broad range of normative and complex operational mandates. The environments in which the Organizations of common system operate vary from being relatively predictable, stable and concentrated in a limited number of locations, to being dispersed to a large number of field operations. The scope, scale and often increased time horizon of the mandates of field operations, covering everything from humanitarian to peacekeeping to peacebuilding activities, requires a fully integrated and harmonized United Nations Secretariat and seamless inter-operability with the specialised agencies and separately administered Funds and Programmes. Only when this is achieved can the United Nations truly *serve as One* and *deliver as One*.

To achieve the vision of *One UN*, harmonization is needed to provide the foundation for integration which, in turn, should lead to efficiencies in productivity, an improved work environment, and a wide pool of global, dynamic and adaptable talent. It is essential to look into ways to support interoperability between the Secretariat and other Organizations that make up the United Nations common system to allow for more effective allocation and deployment of talent. The benefits of supporting efforts towards inter-operability allow the Organizations to strengthen their capacity to respond to changing needs by recruiting people who know and understand the operational realities of the various entities of the common system. Indeed, staff with such a varied background are most likely the ones that bring a multi-organizational perspective to proposals for organizational change. Inter-agency mobility also supports career development of staff. For the individual staff member it yields significant benefits which include greater opportunities for career growth, a mix of experiences and transferability of skills, enhancement of job and career skills and feeling part of the greater mission of the United Nations.

Harmonization of Conditions of Service and Contractual Reform: the Foundation for Integration and Interoperability of Staff in UN Common System

Against this backdrop, two key Human Resources management reform initiatives have been launched since July 2009 setting the foundation for more integration and interoperability in the UN common system: a new contractual framework streamlining contracts into one series for all staff; and, harmonization of conditions of service for United Nations staff serving at HQ and in the Field to allow equal access to career opportunities, irrespective of programmes and sources of funding. While harmonization within the UN Secretariat has been achieved, more remains to be done to achieve harmonization among the common system.

Barriers to Interoperability and Inter-Agency Movement

The culture within the UN system does not support inter-agency movement. In fact, the very few inter-agency movements for all Organizations of the common system would seem to suggest that there is reluctance to accept staff on inter-agency transfers for a variety of reasons, including financial considerations and the fact that such staff are unknown commodities.

There is a disconnect between the desire of Organizations in the common system to encourage a *One UN* approach to work as opposed to maintaining their independence and autonomy. Organizations have evolved human resources management approaches and practices that best support their mandates, funding structures and staff deployment patterns. This has led, in certain cases, to unique approaches to management of people and these are often carefully defended in the overall interest of the individual Organizations. As a result, inter-agency mobility may not be pursued as actively as it should and Organizations operate without benefiting from the good practices of their sister agencies.

Furthermore, from an organizational standpoint, Organizations of the common system have different competency and performance management frameworks. For example, the specialized agencies recruit and develop talent to meet the needs of their unique functional mandates, which in and of itself does not lend itself to the exchange of talent with other elements of the common system.

The lack of clear administrative arrangements to facilitate inter-agency movement is another barrier. While the new Inter-Agency Mobility Accord was adopted in 2005 with the intent of providing a better and more flexible management tool for inter-agency movement, legal issues with the Accord raised by a number of Organizations have limited its effectiveness.

Other barriers to inter-agency movement include:

- Different recruitment standards followed by different agencies;
- Non-recognition by certain Organizations of promotions granted to a staff member while serving away from the parent organization;
- Lack of consistency in considering applications from staff from other UN Organizations as being “internal” or “external”;
- Non-uniformity of criteria for granting of permanent or continuing contracts;
- Lack of formal job networks (clusters of positions and job groups with transferable skills) across the Secretariat, UN Programmes and Funds and Agencies, which foster movement of staff within and across networks;
- Lack of common Core Values across the Organizations and competency frameworks;
- Lack of integration of Human Resources Information Systems across the common system;
- Employment for spouses.

What are potential steps towards inter-agency mobility?

Potential steps towards inter-agency mobility include:

- **Development of common career networks.** How can bridges be built across the UN common system? For instance, to make the One UN concept a reality, it may require the development of networks of like-minded agencies and programmes, e.g. field-based Organizations, Organizations in particular locations, and Organizations with missions that overlap, among others.
- **Integrating inter-agency movement into human resources management policies.** Should inter-agency movement be integrated into human resources management policies? This would necessarily have to include policy provisions which would provide that staff from the various agencies would be considered as “internal” for all vacancies in all agencies.
From a basic policy perspective, the long-standing issues with the Inter-Agency Mobility Accord would need to be resolved as soon as possible so that all Organizations of the common system have an agreed upon, common framework to administer inter-agency movement. Attention to this matter by the Legal Network of the CEB is therefore essential.
- **Harmonization of recruitment standards and policies.** In order to facilitate movement, should consideration also be given to harmonizing recruitment standards and policies? Further harmonization of conditions of service from one entity to another would include recognition of promotion granted through inter-agency mobility, re-absorption arrangements, etc.
- **Common competency frameworks.** Should a full scale review of the competency frameworks existing in all Organizations of the common system be undertaken with the purpose of formulating the competencies in such a way that meets the needs of all Organizations?

- **Career paths and models.** For staff to be competitive across the system they require a conducive environment, relevant information and tools. Through these career models, staff can empower themselves by identifying career possibilities by recognizing what skills are in demand and where new opportunities are being created. What type of career models and options for career paths within UN common system are needed?
- **Strengthen Management and Leadership.** The UNSSC has established the successful UN Leaders Programme. Would additional inter-agency initiatives for staff, e.g. for women's leadership development, also facilitate the vision of one global UN workforce?
- **Investment in learning and development.** The Secretary-General has promulgated a comprehensive learning and development policy to ensure that all UN Secretariat staff members have access to learning, and that high-quality and consistent learning and development services are offered across all duty stations. What level of coordination between the UN Secretariat, agencies, funds and programmes in the areas of learning and development would contribute to long term interoperability and would supporting the vision of one global workforce to support One UN? Should all entities work toward the establishment of a common approach to e-learning, increased coordination on e-learning development and sharing of appropriate e-learning resources?

Paper prepared by the Department of Management's Office of Human Resources Management and the Department of Field Support

PLENARY SESSION 4

MAXIMISING THE IMPACT OF ICT ON THE PERFORMANCE OF MANAGERS

Understanding generational diversity and ICT

In order to create a modern workforce, we must acknowledge and understand the issue of generational diversity. Within our organization, there are staff segments spanning multiple generations. Each of these generations holds a different attitude, approach and capacity towards work. There are key characteristics that are shared by many members of the same generation. Understanding these characteristics would enhance the organization's approach towards the distinct generational groups, helping them work more effectively.

As it pertains to ICT, there is a distinct difference between the younger generation (30 and younger) and the previous generations (30 and older). The younger generation tends to be more technically savvy and accepting of new methods and innovative technologies. Our challenge as an organization is twofold in this respect. First, we need to assure that our technological tools are robust enough to maximize the abilities of the younger generation in order to meet their needs and aspirations. Second, we need to provide the previous generations with the support required for them to be able to integrate into today's technical, fast-paced work environment. This support should be provided through technical and skills training complemented by change management efforts and incentive structures.

Therefore, the objective and design of our ICT systems needs to keep up with developments in the market and other leading organizations in order for us to provide our staff and managers with the adequate tools to become a more modern workforce. Understanding the relationship between generational diversity and ICT will enable us to achieve this goal.

Leveraging best practices through enterprise-wide ICT systems

In order to achieve the goal of creating a more efficient United Nations, we must examine policies, work processes and procedures that have worked well and enhanced efficiency in other organizations, both in the public and private sectors.

One way to facilitate this process is through the utilization of enterprise-wide ICT systems that have been tried and tested in large, global organizations and encompass industry "best practices". Examples of such systems would include knowledge management systems and enterprise resource planning (ERP) systems, including human resource management systems. These systems have built-in workflows and business processes that have worked for thousands of global organizations for many years and could be leveraged for the United Nations. Through the implementation of systems that are based on best practices, staff and managers throughout the organization will be able to access critical and useful operational and HR data, resulting in a faster, more factual based decision making process.

Despite the clear differences that exist between the UN and other organizations, opening our minds to best practices that have proven successful in other organizations and implementing these through enterprise-wide ICT systems will increase our chances of becoming a more efficient organization.

Improved accessibility to data for effective decision-making and transparency

The administrative ICT systems that are currently used at the UN are designed mainly from a provider perspective; hence they assure that the data submitted is standardized and complete, while often overlooking the day-to-day needs of the users of these systems. Managers requiring alternative views of their employee and operational data must request customized reports which can often take several weeks or more to generate. This situation hinders the

ability of managers to make informed decisions in a timely fashion and significantly increases the workload of administrative support staff.

Due to the size of the organization, there is a vast amount of operational and HR-related information that is created and stored on a daily basis, much of which pertains to management of the employee lifecycle. We may wish to explore Portal and Data Warehouse technologies which can provide managers with real-time access to authorized operational and HR data and the ability to generate customized reports on demand. The effective management and utilization of operational and HR data can result in enhanced decision making processes at the individual, unit and system level, and promote transparency across the organization.

Streamlining and automating organizational performance management functions

One of the keys to the success of the UN is the proactive management of performance throughout the organization. We have been moving in this direction through the introduction of the Senior Management Compact. Additionally, the Strategic Management Framework is used as a means to measure and report to Member States on programmatic performance in the context of approved budgets. These processes enable the organization and its stakeholders to monitor its performance as it relates to the overall goals and objectives of the organization.

Currently, organizational performance tools, such as the Senior Management Compact, and Strategic Management Framework are created manually using simple forms and templates. ICT can be utilized to improve performance management functions by incorporating best practices in the development, implementation and automation of these tools.

This approach also enables the cascading of performance objectives through multiple layers of management or organizational structures, ensuring alignment of organizational and departmental goals and priorities. For example, ICT dashboards can enable managers to monitor progress and make proper adjustments to their plans in a timely manner. An additional added value of automating these processes is the increased transparency and visibility of performance-related information across organizational units. The reports generated through performance management systems can provide managers on all levels with the information they require to assess their effectiveness both in terms of long-term trends and in relation to other organizational units. These performance management systems can be based upon measurable key performance indicators (KPIs), stemming from the operational systems (such as ERP), thus enhancing their validity and reliability.

Paper prepared by the Office of Information and Communication Technology (Executive Office of the Secretary-General)

PLENARY SESSION 5

BUILDING TRUST BETWEEN STAFF AND MANAGEMENT THROUGH INSTITUTIONAL REFORMS

Introduction

Through its resolutions 61/261, 62/228 and 63/253, the General Assembly (GA) established a new system of administration of justice for staff of the United Nations Secretariat and the separately administered Funds and Programmes. This system replaced a largely peer-review system that had functioned for more than 60 years but which had become, in the view of the GA, “slow, cumbersome, ineffective and lacking in professionalism”. Accordingly, the GA decided to establish a “new, independent, transparent, professionalized, adequately resourced and decentralized system of administration of justice consistent with the relevant rules of international law and the principles of the rule of law and due process to ensure respect for the rights and obligations of staff members and the accountability of managers and staff members alike.” Furthermore, the new system put a stronger emphasis on resolving employment-related disputes through informal means, before resorting to formal litigation.

The new system has informal and formal components. The informal system is centered on the services provided by the Office for Ombudsman and Mediation Services (UNOMS) whereas the formal system constitutes a process involving the Management Evaluation Unit (MEU), the United Nations Dispute Tribunal (UNDT) and the United Nations Appeals Tribunal (UNAT). In addition, in the formal system, professional legal assistance is made available to staff by the Office of Staff Legal Assistance (OSLA). The new system began to function on 1 July 2009.

Strategy to build trust between staff and management

The reform of the internal justice system provides an opportunity to improve staff-management relations. Even though the system is still in its early stages, it has already been recognized that it has many positive aspects such as increased transparency, more professional and expeditious in the resolution of disputes.

A brief description of the various elements of the new system that contribute to building trust between staff and management follows:

- **The informal system – resolving workplace disputes amicably.** The General Assembly has placed emphasis on the informal resolution of disputes and has strongly encouraged the prevention of conflicts and the use of informal means to resolve conflict at an early stage. In addition to already existing services, the Assembly strengthened the capacity of UNOMS by establishing a dedicated mediation service and various regional Ombudsman branches including two in peacekeeping operations. The Ombudsman and Mediation Services are an adjunct to the administration of justice system. The Office also maintains links with the formal system through the referral of cases from the various offices of the administration of justice system for informal resolution.

Ombudsmen and mediators provide informal and impartial conflict resolution services by looking at disputes from all perspectives with the objective to identify possible ways forward. The parties remain in control of the resolution process. Such an informal approach allows for swift resolution of disputes and increases staff confidence in the possibility of improving relationship with management or colleagues in a collaborative and sustainable way.

During the first five months of 2010, UNOMS has seen an increase of 69 percent in the use of its services by UN Secretariat staff. Notably, senior managers are also making more use of the informal mechanism. Experience indicates that in about 80 per cent of all cases received by the Ombudsman a satisfactory solution is found for the parties involved. Overall, during the first year of the Administration of Justice System, approximately 79 percent of cases received by the Office of the Ombudsman and Mediation Services did not proceed to the Dispute Tribunal.

Given the success rate above, why do we not see an even greater reliance on the informal system? Why do so many cases still proceed to the formal system? Why do managers respond in a timely manner to cases in the formal system but either ignore or take much more time to do the same in the informal system?

- **Management evaluation.** Management evaluation constitutes the mandatory first step of the formal system of administration of justice. The Management Evaluation Unit (MEU), staffed by professional legal officers, conducts a first review of a contested decision and is located in the office of the Under-Secretary-General for Management. Management evaluation is designed to give management a chance to correct an improper decision, or provide acceptable remedies in cases where the decision has been flawed, thereby reducing the number of cases that proceed to formal litigation.

Management evaluation is an instrument to increase managerial accountability by ensuring managers' compliance with their responsibilities while respecting the Organization's regulations, rules and ethical standards. It allows the linkage of managerial performance to assessment tools (ePAS, Human Resources Action Plan, Senior Managers' Compact) and possible withdrawal of delegation of authority, if warranted.

In the twelve-month period, 74 per cent of cases reviewed by the MEU were upheld by the Secretary-General, 15 per cent were partially upheld and 11 per cent were rejected. It is interesting to note that 44 per cent of cases were filed by staff members at the P-3/P-4/P-5 levels. The majority of these cases pertain to non-selection/non-promotion, and given the outcome above, reflect less on errors in managerial decision-making, and more on the dissatisfaction that staff at these levels experience with their careers.

It is clear that more attention needs to be paid to such issues that emerge as a result of analysis of the MEU and UNDT caseload.

- **UNDT and UNAT.** The tribunals play an important role in reinforcing the integrity of the system and their jurisprudence represents an important learning opportunity for managers.

This first year of the new system of justice has been one of transition. In the twelve-month period, the UNDT disposed of 220 cases, of which 10 cases were referred to the Mediation Division. The largest number of cases was for non-renewal of appointment. During the same period, the UNAT rendered a total of 64 judgments.

The most important lesson learned is that management should comply with its own regulations, rules and procedures. Such compliance meets the requirement of due process and goes a long way in building trust.

As for the UNDT judges, the merits of the Secretary-General's prior proposal for the establishment of three judge panels have been reinforced. Divergent practices at different locations and reliance on particular national jurisdictions or jurisprudence has been observed. Should the three judge panels not find support with the legislative bodies, consideration should be given to developing a robust training programme for the judges, which would help achieve harmonization of proceedings.

- **Office of Staff Legal Assistance.** It has been a long-standing principle of the Organization that staff members who wish to appeal an administrative decision, or who are subject to disciplinary action, should have access to legal advice and representation. In the old system this was provided by the Panel of Counsel, which was largely staffed through volunteers. In the new system the Office of Staff Legal Assistance is staffed by fulltime legal officers in New York as well as in Geneva, Nairobi, Addis Ababa and Beirut. At any stage of a dispute, or even in anticipation of a dispute, a staff member may seek advice from legal officers in the Office of Staff Legal Assistance.

The establishment of OSLA has, however, presented many challenges. Staff has complained about inequality of arms between staff and management since there are currently only seven staff members in the OSLA to advise and assist staff on legal issues. This has been contrasted with offices providing legal counsel for the Administration, which are able to re-deploy posts from other areas or use GTA budgets to enhance staffing in response to the surge of use of the new system. It has been argued by staff that there is an equally, if not more, acute need for OSLA to secure additional staffing, particularly in duty stations away from New York, including the field.

If no additional resources are allocated, OSLA will be forced to reject requests for legal assistance. OSLA has argued that the current work load is not sustainable with the existing capacity and must be addressed in order for OSLA to be sustainable.

Against the above backdrop, should Administration make attempts to enhance OSLA's capacity?

- **Ethics Office.** Even though not officially part of the internal justice system, the Ethics Office plays an important role in building trust between staff and management. In addition to communicating and updating existing standards of conduct, providing ethics guidance and confidential advice on conflicts of interest, the Ethics Office administers the protection against retaliation policy, which offers protection to those who report misconduct and for cooperating with duly authorized audits or investigations.
- **Expedited disciplinary cases.** Disciplinary cases can take years, during which time the accused is either placed on leave or continues to work, and both situations do not help in building trust. In this connection, experience from the first year of the new system has introduced a sense of urgency on the issue of internal UN investigations. The Tribunals have found that investigations need to be conducted by professionally trained and experienced investigators. This is a limited capacity in the UN system. The General Assembly has also raised concerns about the investigative process, which is sometimes alleged to be conducted without due process.

Looking ahead

The past year has seen a significant number of cases reviewed by the MEU and brought before the Tribunals. Although this can be seen as a sign of trust in the system, attention should be paid to the cause of discontent among staff.

- **Staff.** The current system does not provide any deterrents for staff filing appeals. Staff has little to lose from filing an appeal. Yet, each frivolous appeal places a heavy burden on an already strained system. How can we motivate staff to engage in more dialogue and resolve issues informally? How can we encourage staff to first exhaust all possible conflict resolution methods before resorting to litigation?

Currently, the UNDT may order a party that manifestly abuses the proceedings to pay costs. In addition to that, should there be a fee for filing cases?

- **Managers.** There is a need to reflect on how to provide managers with incentives to manage well and to identify the stage at which a mistake becomes unacceptable.

Providing guidance from the lessons learned is also critical. A number of systemic issues and trends in respect of the decision-making authority of managers have been identified through a qualitative analysis of the cases reviewed by the MEU and the recent judgments issued by the UNDT and UNAT.

The majority of administrative decisions challenged by staff pertain to non-renewal of appointments and non-selection/non-promotion of staff.

The review of cases of non-renewal of appointments for unsatisfactory performance revealed that, in some cases, the procedures set out in the Administrative Instruction on Performance Management were often not followed: performance improvement plans were not prepared, shortcomings in the staff members' performance were not recorded, e-PAS discussions were not held. It was also determined that in the event that an e-PAS rating is contested, the final rating from the rebuttal process must be taken into account before making the decision not to renew an appointment.

In cases of non-selection/non-promotion of staff, the procedures set out in the Staff Selection system, such as the priority consideration of candidates eligible at the 15-day mark or the notification of the outcomes of the selection process to all interviewed candidates, were not followed.

In this context, and to provide further guidance to managers, a detailed analysis of all available jurisprudence is currently being undertaken with a view to providing managers with a lessons learned guide, which will be updated on a regular basis. The guide is expected to serve as an important tool to assist managers in their decision-making role.

The Secretary-General's Retreat 2010
Alpbach, Austria • 5–6 September 2010

PLENARY SESSION 6

**ACHIEVING PEACE, JUSTICE AND HUMAN RIGHTS WITHOUT COMPROMISING:
RULE OF LAW AND PEACEKEEPING**

Introduction

Together with justice, peace and security, respect for human rights anchors the imperatives which lie at the heart of the rule of law. Human rights advocacy efforts of the past six decades and the political dynamics that marked the end of the Cold War have helped to set an agenda that also extends to sustainable development and the eradication of poverty, good governance, democracy and protection of the environment. All major initiatives currently promoted by the international community are almost invariably rooted in the notions of respect for the rule of law, human rights and the preservation or restoration of international peace and security. Each of these now constitute a key element of peacemaking, peacekeeping and peacebuilding.

Rule of law, including the respect for human rights, is enshrined in the United Nations Charter and in numerous international treaties. These principles are standard features of the Charter bodies' deliberations and thus routinely form part of peacekeeping mandates, peace-making and even development agendas. This point was repeatedly emphasized during the Security Council's debate in June 2010 on "the promotion and strengthening of the rule of law in the maintenance of international peace and security", when Member States affirmed that the assistance peace operations provide to host countries to strengthen their justice and security institutions is central to sustainable peace.

Together with international humanitarian law and refugee law, international human rights instruments, such as the Universal Declaration of Human Rights, the International Covenant in Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, provide a comprehensive foundation for the establishment of peace and security. More particularly, the Secretary-General, in many of his reports to the Security Council, has also dedicated extensive attention and special sections to justice, corrections, human rights and refugee protection. These issues – which are all directly related to peace and security – are also the focus of the Human Rights Council, whose establishment was a breakthrough achievement at the turn of the 21st century.

In implementing mandates entrusted to the Secretary-General, peace operations are responding to emerging challenges in the rule of law field, the Organization is aiming to take a more effective and coherent approach while adhering to the principles of human rights. In his August 2009 report on "strengthening and coordinating United Nations rule of law activities", the Secretary-General indicated that the United Nations is increasingly taking a more comprehensive and strategic approach to the rule of law at the country level, which involves jointly planning and implementing programmes. Key partnerships, with regional organizations among others, and persistent advocacy, in various fora, including the Human Rights Commission, the Peacebuilding Commission, and international conferences, remain essential. Across the board, the Organization's practices need to be in line with our principles in order to succeed.

While international justice mechanisms have become an important element of many post-conflict settlements, national ownership remains an indispensable element of transitional justice as a tool for a lasting peace. This often requires extensive national capacity-building with the assistance of the international community. At the same time, everything possible should be done within the United Nations framework to prevent erosion of the legitimacy of international justice mechanisms, while also removing any perception of bias.

In addition, any efforts to strengthen the rule of law should be nationally rooted and owned, and requires the United Nations to possess adequate tools to address peace, security, justice and human rights in a balanced, comprehensive manner. But to be effective at the domestic level, advocacy on these issues needs to be actively supported by short-

and long-term development of rule of law institutions – from the police, court systems and prisons to parliaments and civil society. Neglecting any of one of these closely linked institutions often results in an unbalanced and therefore unsustainable approach.

Without Compromise

The challenge, therefore, is to coordinate all activities and strengthen the tools as part of comprehensive approach to ensure peace, justice and human rights and to professionalize the UN contribution to this effort.

The report to the Security Council on “Uniting our strengths: Enhancing United Nations support for the rule of law” states that “the protection and promotion of the universal values of the rule of law, human rights and democracy are ends in themselves...[and] are also essential for a world of justice, opportunity and stability”. There can be no compromise on delivery of our mandates in order to remain true to our principles. There can be no peace without respect for these principles.

Any comprehensive and balanced approach to the issues of peace, justice and human rights must be mainstreamed and advanced through:

- Strategic advocacy coupled with continuous capacity-building, including with and at the regional level;
- Early warning of human rights violations and rule of law deficiencies based on an internationally accepted methodology;
- Joint planning by UN agencies of any complex United Nations interventions with the clear delineation of responsibilities and guaranteed delivery on plans as well as joint monitoring and assessment of the implementation;
- Early association of national stakeholders and capacity-building from the outset of a peace operation;
- Without exception, the protection of civilians as an integral part of any complex peace operation.

The challenge remains to deepen and professionalize efforts of the whole UN system. This includes building specialized skill sets to meet the increasingly complex situations in which we operate. UN police, for example, must have the skills and tools to address the issues that undermine lasting peace and security, such as organized and transnational crime or corruption. Our professional corrections and judicial affairs officers are required to possess specific programmatic and project-development skills.

Similarly, the Organization needs to develop and maintain high standards at every stage of a peace operation. Rapidly deployable professional teams and well-maintained rosters of specialized experts trained together and deployed with a set of tools and templates could facilitate early assessments and planning processes in the areas of rule of law and security institutions and ensure that no time is lost. Equally, uniform standards for performance, proper training, quality monitoring and control for UN staff are critical.

The United Nations’ long-term goals must be matched by long-term planning. This means early preparation for local participation and ownership. We need to develop guidance on the identification and engagement of national partners with whom international staff can work from the outset in the areas of rule of law and security institutions and on the coordination, prioritization and sequencing of core early peacebuilding tasks.

Access to flexible programme resources is necessary in order to enable civilian staff to offer tangible deliverables and equipment to their national counterparts. The Organization is expected to ensure inter-operability with UN and non-UN partners in the areas of deployment, budget sharing, integrated planning, and make adjustments to the human resources system to overcome current challenges in identifying, recruiting, selecting, rapidly deploying and retaining highly qualified, specialized staff. Moreover, recognizing limited capacity and resources, the international community as a whole should identify comparative advantages of various actors in order to make our collective effort more efficient.

Indeed, the whole Organization must address these challenges within the limitation of the current financial/economic crisis, but also aiming at the future further expansion of the whole area of international peace, rule of law, security sector reform (SSR) and human rights. As noted in the Secretary-General's New Horizon initiative, the peacekeeping family must effectively communicate our challenges and needs to the Security Council and the General Assembly, troop- and police-contributing countries, key donors, NGOs as well as beneficiary populations and Governments - to ensure focused, time-bounded mandates, appropriate resources, predictable delivery and realistic expectations.

Operationalization

Operationally – DPKO/DFS family is building the capacity to deliver on the basis of a number of assumptions.

Together with the DPKO/DFS family and other UN partners, the components of DPKO dealing with police issues, justice, corrections, disarmament, demobilization and reintegration (DDR), SSR and mine action contribute to the establishment or restoration of basic security, stability and justice in post-conflict situations. These are some of the core tasks of any complex peacekeeping Mission and ultimately lead to the long-term strengthening of the rule of law, undertaken with the active participation of traditional UN players, Bretton Woods Institutions and increasingly the Peacebuilding Fund.

The DPKO will soon have almost 17,000 United Nations police officers serving on four continents, undertaking various policing mandates, including advising, mentoring, and reforming host State police services in peacekeeping operations and special political missions. The increasing complexities of the mandates require police officers with specialized skills, experience in police institutional development, more female officers and a continuing need for Formed Police Units (FPU) for public order management duties. The Police Division has developed a clear FPU policy and an award-winning police pre-deployment training course that has strengthened our ability to appropriately prepare and deploy UN Police.

DPKO rule of law initiatives and United Nations system-wide partnerships aim to assist national authorities in combating impunity for crimes through the building or strengthening of courts, legal and legislative reform and locally driven approaches to justice. This is one of the core functions of the justice components of peace operations (which currently employ almost 200 judicial affairs and 300 corrections officers globally) as articulated in the policy on the roles and activities of our justice components produced by the Criminal Law and Judicial Advisory Service. DPKO – together with partners - is also developing a comprehensive training programme specifically for our judicial affairs officers in the field – which contains a module on the rule of law in peacekeeping, including the protection of civilians. DPKO is also developing guidance materials to enable corrections components of peace operations to assist national authorities in managing prisons in accordance with international human rights standards.

Ensuring respect for the rights of persons deprived of their liberty – whether accused or convicted – is a core human right that is an essential part of any framework for an effective justice system. DPKO and DFS have developed standard operating procedures on the temporary detention of individuals by United Nations personnel in order to ensure that such action is carried out in accordance with relevant international human rights standards. Together with the Office of the High Commissioner on Human Rights, the Department is developing an instrument which will allow for the identification of the strengths and challenges in the police, justice and corrections sectors in a given country. This work is being done together with other members of the Rule of Law Coordination and Resource Group.

At the same time, DPKO and DFS, in close coordination with the Peacebuilding Support Office, are seeking to improve or build rapidly deployable police, justice and corrections capacities that will enable us to assess, plan and start up essential protection and stabilization activities as early as possible in the life of any Mission. DPKO's Standing Police Capacity (SPC) – which became operational in 2007 – has deployed to Chad, Timor-Leste, Liberia and other countries; and DPKO has been mandated to create a standing justice and corrections element to complement the SPC. The United Nations Mine Action Service already has – and is continually improving – a rapidly deployable capacity, which is crucial to protect UN personnel in the field.

Mine Action Coordination Centres in many peacekeeping settings provide assistance and advocacy in support of the rights of civilian victims of mines, explosive remnants of war and cluster munitions. UNMAS is also focusing on destroying stockpiles of weapons affecting the populations, developing a capacity to address immediate threats of improvised explosive devices, and assisting in providing a defensive Counter IED capacity to protect UN personnel and facilities.

Equally, the economic, social, political and security reintegration of ex-combatants into civilian life is central to creating a peaceful environment, human rights and sustainable development. Today, DPKO continues to support peacekeeping missions in addressing a caseload of over 500,000 combatants, including women associated with armed forces and groups. Simultaneously, the Department and its partners are pursuing the development of “second-generation” DDR methodologies, which take into account alternative, community-based approaches. Together with the Inter-Agency Working Group on DDR, we have also recently finalized guidance on the nexus between DDR and SSR, and on DDR and transitional justice. The latter, in particular, discusses ways in which DDR and transitional justice initiatives can support and strengthen each other.

Efforts to professionalize national security providers are obviously part of the long-term agenda. Initiatives include training on international law; legislative reform; the creation of civilian oversight mechanisms; the development of a new generation of military and police leaders; stronger roles for parliamentarians and civil society in identifying security threats and responses; and general support in the areas of developing infrastructure and obtaining equipment from bilateral donors.

Paper prepared by the Department of Peacekeeping Operations' Office of Rule of Law and Security Institutions

The Secretary-General's Retreat 2010
Alpbach, Austria • 5–6 September 2010

PLENARY SESSION 6
ACHIEVING PEACE, JUSTICE AND HUMAN RIGHTS WITHOUT COMPROMISING:
THE HUMAN RIGHTS PERSPECTIVE

Background

The United Nations system as a whole has been involved in complex discussions articulating the relationship between justice, peace and human rights. The dilemma was once presented as between securing peace with the cooperation of perpetrators of international crimes or addressing justice at the cost of perpetuating conflict. In recent years, however, this assumed tension between justice and peace has gradually dissolved. The United Nations now recognizes that, when properly pursued, justice and peace can promote and sustain one another, with respect for human rights and the dignity of individual being at the center of such a discussion.

The Secretary-General's Guidance Note on the UN Approach to Transitional Justice of 10 March 2010 usefully summarizes the key components of the issues at stake. It emphasizes that peace and justice should be promoted as mutually reinforcing imperatives and the perception that they are at odds should be countered. The question for the UN is never, as the Guidance Note puts it, whether to pursue accountability and justice, but rather when and how. The nature and timing of such measures should be framed first of all in the context of international legal obligations and taking due account of national context and the views of national stakeholders, particularly victims. The Note also emphasizes that the UN cannot endorse provisions in peace agreements that preclude accountability for genocide, war crimes, crimes against humanity and gross violations of human rights. The UN should seek to promote peace agreements that safeguard room for accountability and transitional justice measures and protection of human rights in the post-conflict and transitional period.

Established Trends

- **Amnesties.** The growing realization that justice and peace are mutually reinforcing is reflected in current international law and United Nations policy on amnesties. Under various sources of international law and United Nations policy, amnesties are impermissible if they prevent prosecution of individuals who may be criminally responsible for war crimes, genocide, crimes against humanity, gross violations of human rights, or serious violations of international humanitarian law. Both international law and United Nations policy also recognize the right of victims to an effective remedy, including reparations, and the right of victims and societies to know the truth about violations.³ The continuing work of the United Nations in the area of justice and peace, particularly with regard to amnesties, aims to safeguard room for justice both during and after peace processes.

The lawfulness of amnesty for genocide, war crimes, and crimes against humanity was first questioned in relation to the 1999 Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front. The United Nations position has subsequently been upheld in Angola, the Sudan and Uganda, where United Nations representatives have first attempted to limit the scope of amnesties and, if unsuccessful, have appended a reservation to their signatures.

It should be further clarified that the United Nations only opposes amnesties for international crimes, and not all types of amnesty. Some amnesties are permissible under international law. For instance, at the end of hostilities, the authorities in power must endeavour to grant the broadest possible amnesty to persons who have participated in a non-international armed conflict, or those deprived of their liberty for reasons related

³ See the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (General Assembly resolution 60/147), the Updated Set of principles for the protection and promotion of human rights through action to combat impunity (E/CN.4/2005/102/Add.1) and the Study on the right to the truth (E/CN.4/2006/91).

to the armed conflict. Such amnesties cannot be granted to persons suspected of, accused of or sentenced for war crimes⁴ genocide, or crimes against humanity

A study conducted by OHCHR of post-2000 peace agreements, memoranda of understanding and other relevant agreements,⁵ indicates that more recent peace agreements reflect above-mentioned developments in international law and United Nations policy with regard to amnesties and accountability. Blanket amnesties, though still present in some accords, are less common. Moreover, a growing number of agreements contain provisions for transitional justice processes, such as truth-seeking, national prosecution initiatives, reparations programmes and institutional reform.

- **Guidelines for UN Mediators.** By the late 1990s, the need to provide UN Representatives with guidelines in their efforts to facilitate a negotiated resolution of conflicts and better to address the tension between stopping the fighting and punishing human rights violations had become acute. In 1999, the Guidelines for United Nations Representatives in Certain Aspects of Negotiations for Conflict Resolution were adopted by the Secretary-General. They were, in the words of the then Secretary-General, “a useful tool with which the United Nations can assist in brokering agreements in conformity with law and in a manner which may provide the basis for lasting peace... [and] a significant step in the direction of mainstreaming human rights”.⁶ The Guidelines were revised in 2006 to take account of subsequent developments. Paragraph 11 of the Guidelines requires the UN Representative to seek guidance from Headquarters when demands for amnesty are made and recalls that the UN cannot condone amnesties for war crimes, crimes against humanity, genocide or gross violations of human rights.

Special envoys and special representatives of the Secretary-General mediating peace processes should continue to advocate for the inclusion of commitments to combat impunity and to protect and promote human rights in peace agreements. United Nations mediators need to be equipped with relevant human rights expertise during peace negotiations and should call upon such expertise available within the United Nations system. Human rights experts should also be present to participate in peace negotiations.

- **Accountability.** Under international law, States have the duty to combat impunity, to ensure effective investigation and prosecution of those responsible for serious violations of human rights and international humanitarian law, and to also ensure that victims of these violations have access to effective remedies. The United Nations should encourage and support independent and impartial fact-finding activities that would lead to such accountability. When the State is unable or unwilling to so investigate or prosecute, the United Nations should continue to support the establishment of international commissions of inquiry and international judicial mechanisms of accountability.

The establishment of the International Criminal Court in 2002 represents the most significant recent development in efforts to combat impunity. The ICC is an independent judicial institution, with a mandate distinct and separate from the UN and the cooperation between the UN and the ICC is governed by the terms of the Relationship Agreement entered into force on 4 October 2004. The Rome Statute’s commitment to complementarity, articulated in article 17, affirms the primary role of national Governments in ensuring accountability for those who bear the greatest responsibility for perpetrating international crimes. Thus, while the Court will bring alleged perpetrators of international crimes to justice where national authorities are unable or unwilling to do so, the establishment of the Court has also fostered the development of national capacities to meet this obligation.

New Trends

While these policies are now established, there are a number emerging areas and challenges faced by the UN in immediate aftermath of conflict and those challenges that are more long-term that require additional reflection. Some are outlined below:

⁴ See Article 6.5 of the Additional Protocol II to the Geneva Conventions of 1949 and Rule 159 of the ICRC Customary Law Study.

⁵ A/HRC/12/18 and A/HRC/12/18 Add 1.

⁶ Secretary-General’s Press Release of 10 December 1999 (SG/SM/7257).

- **Conditionality.** In the immediate aftermath of conflict, an issue has arisen regarding the need of conditionality for UN support to national armed forces. The challenges faced by the UN became recently apparent in the context of the UN's support to the Congolese army (FARDC) in the Democratic Republic of Congo (DRC) pursuant to Security Council resolutions. The conditionality policy in the context of the DRC focuses on two objectives: (a) reducing the risk that the UN might be complicit of or even associated with grave violations of humanitarian, human rights and refugee law committed by UN-supported FARDC elements; and (b) influencing FARDC behaviour to enhance protection of civilians by ensuring FARDC respect for international humanitarian, human rights and refugee law.

The UN peacekeeping operation in the DRC has strived to implement this policy within the framework of its overall effort to protect civilians. The direct engagement of the mission's civilian and military leadership is evidence of the importance attached to these efforts. How can we ensure the application of such conditionality policy in all similar situations? How can the UN re-define conditionality in a more positive way as a package including, but not limited to, education, awareness, monitoring, timely support to military justice, designed to contribute to behavioural change to achieve respect for international law?.

- **Vetting and UN peacekeepers.** Increasingly, the Security Council is giving peace-keeping missions the mandate to protect civilians in danger. This is positive. But some UN peacekeepers come from countries with a poor human rights record where the armed forces and police are seriously implicated in human rights violations. Meanwhile, the UN remains desperate for troop contributions and this limits its ability to choose. But at what cost? How can we ensure that those who have been implicated in serious human rights/criminal activity in their home country are not given to the UN as peacekeepers? What is standard of proof is needed to exclude individuals? And who bears the burden to prove this, is it the UN or the Contributing State? Do we vet only high ranking officials, who should do that and where do we draw the line?
- **Vetting and institutional reform at the national level.** In the longer term, vetting in the host country is another important element in transforming a State into one that is democratic and respectful of the rule of law and legal institutions. In the post conflict setting where the UN is in charge it is important to elaborate a policy that ensures that those responsible for human rights abuses, whether in the courts, police or prisons no longer exercise power. How do we ensure national ownership of such policy? How do we guard against mistakes and possible abuse? What is the evidential basis to do so and what are the due process protections in place? Is there a danger we could remove the institutional memory of key institutions?
- **Sexual exploitation and zero tolerance.** The United Nations has developed a series of policies concerning sexual exploitation and abuse in response to allegations that such acts had been committed by peacekeeping and humanitarian personnel. Sexual exploitation and abuse by UN staff cannot be tolerated. It violates everything the United Nations stands for. Men, women and children displaced by conflict or other disasters are among the most vulnerable people on earth. They look to the United Nations and its humanitarian partners for shelter and protection. Anyone employed by or affiliated with the United Nations who breaks that trust must be held accountable and, when the circumstances so warrant, prosecuted. But are you seeing this important policy have an impact in the field? Is conduct of a minority number of staff, changing, being tolerated?

Conclusion

This note addressed ways in which to confront violations of human rights that have occurred and, as a corollary, to prevent their recurrence in the future. The challenge remains of how can the UN at the same time be contributing to the creation of cultures in which there is respect for human rights? OHCHR cannot do this alone and there is scope of real partnership and collaboration amongst the various UN Departments and Agencies in this regard.

Paper prepared by the Office of the High Commissioner for Human Rights

The Secretary-General's Retreat 2010
Alpbach, Austria • 5–6 September 2010

PLENARY SESSION 6

**ACHIEVING PEACE, JUSTICE AND HUMAN RIGHTS WITHOUT COMPROMISING:
LAW AND JUSTICE**

Introduction

In the practice of the United Nations Secretariat, the “peace and justice” dilemma has generally been understood as a policy choice between peace and justice at a time when a peace agreement is being negotiated at the end of an armed conflict, during which massive violations of human rights and IHL have been committed by some or all of the parties. How to end the fighting without foregoing the prosecution of those responsible? This dilemma is posed in its acutest form when those participating in the peace talks have made it a condition of their presence at the negotiating table or their signing of any peace agreement that, in it, they will be granted immunity from prosecution.

In this connection, the following specific issues have arisen:

- Lawfulness of amnesty for the core international crimes;
- Role of the UN Representative in facilitating peace agreements;
- Interaction with indictees holding positions of authority; and
- Combating impunity through calling for accountability.

The Lawfulness of Amnesty for Core International Crimes

It has been a long-standing position of the United Nations Secretariat for a decade now, whether in negotiating peace agreements or in establishing international criminal jurisdictions, that amnesty cannot be granted in respect of the crime of genocide, war crimes, crimes against humanity or other serious violations of IHL or in respect of gross violations of human rights (such gross violations include torture and similar cruel, inhuman or degrading treatment, extra-judicial, summary or arbitrary executions, slavery, enforced disappearance, and rape and other forms of sexual violence of comparable gravity). More recently, the Secretariat has been mandated by the Security Council to specifically exclude from the scope of any amnesty “sexual violence crimes”.

The Role of the UN Representative in Facilitating Peace Agreements

By the late 1990s, the need to provide UN Representatives with guidelines in their efforts to facilitate a negotiated resolution of conflicts and to better address the tension between stopping the fighting and punishing human rights violations, had become acute. In 1999, the *Guidelines for United Nations Representatives in Certain Aspects of Negotiations for Conflict Resolution* were issued by the Secretary-General. They were, in the words of the then Secretary-General, “a useful tool with which the United Nations can assist in brokering agreements in conformity with law and in a manner which may provide the basis for lasting peace... [and] a significant step in the direction of mainstreaming human rights” (Secretary-General’s Press Release of 10 December 1999 (SG/SM/7257)). The Guidelines were revised in 2006 to take account of subsequent developments. Paragraph 11 of the Guidelines requires the UN Representative to seek guidance from Headquarters when demands for amnesty are made and recalls that the UN cannot condone amnesties for genocide, war crimes, crimes against humanity or gross violations of human rights.

In negotiating, mediating or facilitating peace agreements on behalf of the United Nations, Special Representatives of the Secretary-General, Special Envoys and other senior representatives of the Secretary-General:

- Should liaise with OLA and other relevant departments or agencies, such as OHCHR, while the agreement is being drafted in order to ensure that the agreement is in compliance with United Nations principles and practices and that any role that is foreseen for the Organization is the implementation of the agreement is “do-able”;
- Should seek the advice of UNHQ on the draft agreement as a whole as early as practically possible, in particular on any amnesty clause and any accountability mechanism for violations of human rights and IHL;
- Should encourage the parties to incorporate into agreements provisions for accountability and arrangements for the promotion and protection of human rights, in accordance with international law;
- Should seek operational support from specialized partners within the UN system;
- In the event that they are unsuccessful in appropriately limiting the scope of a sweeping amnesty clause in a peace agreement, should, if requested to witness the final peace agreement, append a reservation to their signature reiterating the UN position on amnesty.

The signature of the UN Representative on a peace agreement as a witness is conditional upon the authorization of the Secretary-General, on the advice of the Legal Counsel.

Interaction with Indictees Holding Positions of Authority

While the question of interacting with indictees has arisen on a number of occasions since the mid 1990s - notably in the case of Karadžić at the time of the Dayton peace negotiations - it was in the early 2000s, with the growing involvement of the United Nations in countries and situations subject to investigation by the ICC, that a policy on interaction with indictees had to be devised. The position adopted balances the need to safeguard the moral authority of the Secretary-General, the Organization’s obligation to uphold the principle of accountability and its duty not to undermine the authority of any of the international criminal jurisdictions, on the one hand, with the responsibility of the Secretariat to implement mandates established by the Organization’s political organs and the practical constraints facing UN presences in the field, on the other. This position, which has been considered by the Secretary-General’s Policy Committee and endorsed by the Secretary-General in the specific context of Sudan, prescribes, in essence, that contacts between UN Representatives and persons indicted by international criminal jurisdictions must be limited to what is strictly required for carrying out essential UN mandated activities. In this connection, “essential UN mandated activities” are activities that concern fundamental key mandates, the implementation of which is vital for the functioning and the success of a UN operation as a whole.

Interaction with persons against whom an arrest warrant has been issued by the ICC - other than in the pursuit of a peace process or as may be required for carrying out the Organization’s mandated activities - would violate the spirit of the Relationship Agreement between the United Nations and the ICC, frustrate its object and purpose and might even undermine the work of the Court itself.

Combating Impunity Through Calling for Accountability

The General Assembly has affirmed, for example in its resolution 60/147 of 16 December 2005, that, under international law, States have the duty to combat impunity, to ensure effective investigation and prosecution of those responsible for serious violations of international law and to ensure that victims of these violations have access to effective remedies. The United Nations should therefore encourage and support independent and impartial fact-finding activities that would ensure a satisfactory measure of accountability. When the State concerned is itself unable or unwilling to investigate or prosecute serious violations of international law, the United Nations has supported the establishment of international commissions of inquiry and international judicial mechanisms of accountability. It should continue to do so.

In addition to international fact-finding and accountability mechanisms, the United Nations should support capacity development of national institutions that can end impunity and encourage national ownership. The UN has played,

and continues to play, an important role in assisting countries to strengthen national systems for the administration of justice in accordance with international standards, paying due attention to laws, processes and institutions.

Peace and “What Kind of Justice”?

After a decade-long debate on how to reconcile peace and justice or sequence them in time, it now seems that the debate is no longer between “peace and justice”. Voices that denied the need for justice seem to have fallen silent and there is now a strong current of opinion, which emphasizes the vital need in every comprehensive conflict settlement for elements of justice to be present, which might include:

- International accountability mechanisms;
- Hybrid accountability mechanisms;
- Strengthened national accountability mechanisms;
- National, international or hybrid accountability mechanisms, which are not strictly judicial in nature, such as Truth and Reconciliation Commissions.

In short, it is now generally accepted that “peace and justice” must go hand in hand. The question has now become “peace and what kind of justice?”

Whatever form justice may take in a particular case, there seems to be a consensus that justice must be factored into post-conflict strategies in order for any peace to be sustainable. In an era of accountability ushered in with the establishment of the two ad-hoc tribunals and followed by the establishment of hybrid tribunals and the ICC, few countries would now claim that there should be peace without any kind of justice. Rather, discussions revolve around the extent to which national jurisdictions have the ability and will to bring the alleged perpetrators of these international crimes to justice. Determining in any given case whether a national accountability mechanism is a genuine assertion of a nation’s ownership of the judicial process or a shield from international prosecution is one of the greatest challenges. However, in situations where the ICC has jurisdiction, the Court, as a judicial body, has the authority to rule on issues of complementarity. Having assumed this role, the ICC also provides significant incentives to develop national capacity for the administration of criminal justice in accordance with international standards.

Paper prepared by the Office of Legal Affairs

PLENARY SESSION 7

**BUILDING EFFECTIVE LINKS BETWEEN PREVENTION, PEACEKEEPING AND PEACEBUILDING:
HOW CAN THE UN BE MORE EFFECTIVE IN PREVENTING AND RESOLVING VIOLENT CONFLICTS?**

The Challenge of Prevention in a Changing Landscape

A respected think-tank recently published a report, which claimed that conflict prevention is getting harder⁷. We certainly do not see it getting any easier. Civil wars may have decreased in number since the early 1990s, but not in intensity, scope or complexity. Patterns of political violence appear to be changing, with organised crime, narco-violence and other transnational threats to security on the rise – threats that are exceedingly difficult to address, complicating the task of prevention. In Kyrgyzstan, for example, there is post-facto speculation that criminal elements may have helped incite the ethnic violence that ripped through Osh and Jalalabad districts in June 2010, the circumstances of which we still do not properly understand.

At the same time, we have witnessed the emergence of stronger normative frameworks in favour of conflict prevention. Most notably, in Africa the old OAU doctrine of non-interference has been replaced by the doctrine of “non-indifference”, which is written into the 2000 Constitutive Act of the African Union and allows intervention in the internal affairs of a Member State in the event of an imminent threat to peace and security. Coupled with this is a growing capacity, at the UN, as well as among our regional partners and other actors, for operational crisis response. Preventive diplomacy and mediation today are being conducted by a broader array of actors using a wider range of tools than ever before. This makes it possible to consider multifaceted strategies of a kind that were previously not an option.

Yet despite these developments, state sovereignty is still a formidable shield, particularly in complex internal situations, which constitute the majority of cases we deal with. Likewise, the willingness of the international community to act, and act early, has remained elusive in many cases, and even when the will is there, we often scramble for the resources to mount a quick response. These challenges, and the ways in which we have tried to address them, are developed further below.

Building a Faster and More Effective UN Machinery for Crisis Response

The 2005 World Summit Outcome Document and several milestone resolutions of the Security Council⁸ have laid out a vision for bolstering the UN's effectiveness in preventing and resolving armed conflict. Since then, the UN has embarked on an ambitious effort to professionalize its preventive diplomacy and mediation capacity, and to respond faster and more effectively when asked to do so. Over the past three years, we have sought to strengthen the Department of Political Affairs (DPA) in carrying out its lead role in supporting the Good Offices of the Secretary-General and in providing mediation expertise. Other key capabilities are UN regional offices on the ground focused on diplomacy and peacemaking, as well as more effective cooperation within the broader UN system and, critically, with Regional and Sub-regional Organisations.

In the last year or so, the United Nations has supported, often in partnership with others, more than twenty peace processes, and responded to an even higher number of disputes that did not reach the level of a formal peace process. It undertook – or supported regionally-led – rapid political interventions to stem electoral or constitutional crises in Kyrgyzstan, Niger and Guinea. In Guinea, following the massacre of 28 September 2009, concerted efforts by the UN, regional and other international actors shaped developments that helped avert the threat of civil war and obviated the need for peacekeepers.

⁷ Richard Gowan and Dr. Bruce Jones, with Sara Batmanglich and Andrew Hart, *Back to Basics: The UN and crisis diplomacy in an age of strategic uncertainty* (Center on International Cooperation, 2010)

⁸ Examples of milestone resolutions in this regard include 1325 (2000), 1625 (2005) and 1809 (2008).

UN mediators worked to broker or support agreements in situations as diverse as Madagascar, Cyprus and the eastern Democratic Republic of Congo, in the latter case averting, at least for the time being, the spectre of a regional confrontation feared by many in late 2008.

The DPA-led offices in West Africa and Central Asia have played a catalytic role in forging the kinds of innovative working relationships with Regional and Sub-regional Organizations that are so pivotal in improving the collective impact of international crisis response. They have also allowed the UN to build a network of key political contacts in these regions, which has both improved our understanding of the complex political dynamics on the ground and provided the UN with entry points for diplomacy.

At the same time, we have attempted to hone new tools, such as the use of investigative mandates to help defuse tensions in judicial cases with political implications. The latest example of this is the establishment of the Panel of Inquiry on the flotilla incident of 31 May 2010. Learning the lessons of Kenya and elsewhere, we have also begun to pay more attention to electoral disputes as potential flashpoints for conflict and to electoral processes as windows of opportunity for building peace. We have taken action to improve Headquarters support to Resident Coordinators and UN Country Teams, particularly in countries facing complex political challenges that do not have a resident peacekeeping or political mission. In some of these fragile situations, we are discreetly assisting national authorities, at their request, in building local capacities for dispute resolution, underpinned by development programmes that can help address some of the structural causes of conflict.

In countries where prevention has failed, Security Council-mandated missions tend to include an important mediatory role, typically carried out by the Head of Mission, in recognition of the fact that the need for diplomacy persists throughout the conflict cycle. And our evolving peacebuilding architecture, together with our small peacebuilding missions on the ground, are helping countries to navigate the difficult task of rebuilding and reconciliation in order to solve their problems more durably.

This represents a wide and growing array of interventions and tools, and certainly not every case is viewed as a success. It illustrates, however, a more creative, agile and proactive UN approach to crisis response. With increasing experience, we are learning what works and what does not, and are working hard to distil best practice.

Key Challenges

Rarely do political crises erupt so suddenly that they catch us wholly unaware. We usually see some warning signs ahead of time. The key is to read the warning signs correctly and to decide on what can be done to improve the situation, and by whom.

Overall, we are getting better at working the political track early in situations where instability threatens. But effective preventive action depends critically on the will of the parties to the conflict. The better we understand motives, calculations, and incentives to use violence, the better we can target our response. Diplomatic openings are often extremely difficult to find, especially in situations of internal crisis. But if armed conflict threatens, we must be willing to use all available leverage to persuade the key actors, with due respect for their sovereignty, that it is in their own interest to accept assistance. Neighbouring countries and Sub-regional Organisations, who are closest to the events and often have unique influence over the parties, are key allies in this respect.

Conversely, if the parties do not want peace, and the environment is not conducive, diplomacy alone is unlikely to be effective. We should plan for such contingencies too, while doing all in our power to avert situations that would require an escalation in our response.

Whatever our strategy, we will rarely be in it alone. Contemporary peace processes now almost always involve multiple actors, and in fact require contributions by multiple actors to be truly effective. But how the UN, Regional Organizations and others decide on partnership arrangements in a given situation has not been regularized, placing a premium, in each case, on strategic coordination, or at least on good communication. We see scope for moving

towards a more strategic dialogue with regional partners on potential conflicts, which would allow us to make more informed policy choices at critical moments and make full use of our comparative advantages.

At the same time, we need to ensure that our machinery keeps pace with our practice. Much, if not most, of the work undertaken in pursuit of the Secretary-General's Good Offices is funded through extra-budgetary means, and Special Political Missions cannot count on the reliable and predictable resources provided by a peacekeeping support account. As a result, *ad hoc* arrangements are often needed to conduct complex exercises. There is a compelling need to address this, particularly since the Security Council increasingly relies on such missions to support critical political and peace consolidation processes, including protecting peacekeeping investments.

The Secretary-General intends to submit proposals to the sixty-fifth session of the General Assembly to address this fundamental gap.

We also know that we must get better at monitoring outcomes and measuring success, and present hard evidence that prevention works. As political work is not easy to see and quantify, this is notoriously difficult to do, but it is crucial if we are to improve our ability to generate and sustain support.

Finally, we must think outside silos, along a continuum, as the title of this session suggests. Our response should be configured not according to our various institutional set-ups, but according to the needs on the ground.

Ways Forward

Due to a variety of reasons, diplomacy seems once again to be ascendant. At a time when more blue helmets are deployed on the ground than ever before in history and the global financial crisis has added pressure on already scarce resources, Member States appear to be taking a fresh look at conflict prevention and mediation as cost-effective means of addressing threats to international peace and security. Recent discussions of the Security Council, behind closed doors and in open debate, have highlighted the need to strengthen the UN's machinery for early crisis response, and provide "predictable, coherent and timely financial support to optimize the use of preventive diplomacy tools, including mediation, throughout the conflict cycle."⁹

The World Bank's influential World Development Report (WDR), due to be released later this year, will focus on fragility and conflict and promises to make a similar case. Amongst its draft findings is the statistic that countries take on average 14 years to recover from war, while mediation efforts cost as little as a few hundred thousand dollars a piece. President Johnson-Sirleaf of Liberia, who is a member of the WDR Advisory Board, was recently quoted as saying, "You guys give everything to us after we have had a civil war, but nothing to us as we are trying to prevent a civil war."

The case for preventive diplomacy and mediation remains compelling, on moral, political and financial grounds. We should build on the current up-tick in attention and drive forward efforts to build a predictive capacity for conflict prevention and peacemaking that can respond quickly and reliably when asked to do so.

Paper prepared by the Department of Political Affairs

⁹ Statement of the President of the Security Council (S/PRST/2010/14), adopted during the Security Council open debate on "Optimizing the use of preventive diplomacy tools: Prospects and challenges in Africa", on 16 July 2010.

PLENARY SESSION 7

**BUILDING EFFECTIVE LINKS BETWEEN PREVENTION, PEACEKEEPING AND PEACEBUILDING:
THE NOTION OF INTEGRATION**

Introduction

The concept of integration first emerged in the 1997 Secretary-General's report *Renewing the United Nations: a Program for Reform*, which called for a transformation of the "leadership and management structure of the organization, enabling it to act with greater unity of purpose, coherence of efforts and agility in responding to the many challenges it faces." Following the establishment of a number of multi-dimensional and integrated missions and the first external review of integrated missions (undertaken in 2004-05 at the initiative of ECHA and in coordination with DPKO), the Secretary-General issued a Guidance Note on Integrated Missions in 2006 that clarified the respective roles of the SRSG and DSRSG/HC/RC in integrated missions and certain other aspects. In the same year, the Secretary-General issued Guidelines on the Integrated Mission Planning Process (IMPP) as the process to ensure system wide planning for UN missions.

In June 2008, the Secretary-General issued a set of decisions that reaffirmed integration as the guiding principle for all conflict and post-conflict situations where the UN has a Country Team and a multi-dimensional peacekeeping operation or political field mission/office. The principle of integration applies to these situations whether or not the field presences are 'structurally integrated' through a DSRSG/RC/HC. The decisions also removed any remaining doubts about whether the principle of integration and related guidelines also applied to DPA led political missions or offices.

The 2008 decisions clarified that integration is not an end in itself; instead, its main purpose "is to maximize the individual and collective impact of the UN's response, concentrating on those activities required to consolidate peace". To achieve this main purpose at the country level, there should be an effective strategic partnership between the UN mission/office and the Country Team, under the leadership of the SRSG and other members of the leadership team, which ensures that all components of the UN mission/office and the Country Team operate in a coherent and mutually supportive manner, and in close collaboration with other partners. Rather than seeing integration and integrated missions as 'integration into the mission', the Secretary-General's decisions emphasize the need for a strategic partnership between the mission (or political office) and UN Country Team under the SRSG's leadership, recognizing that members of the UN Country Team are governed by their own mandates, internal decision-making structures and funding arrangements even in 'structurally integrated' missions.

Integration at the Country-Level

According to the 2008 decisions, the country level integration arrangements should reflect the specific requirements and circumstances and can take different structural forms. In all cases they should include:

- A shared vision of the UN's strategic objectives;
- Closely aligned or integrated planning;
- A set of agreed results, timelines and responsibilities for the delivery of tasks critical to consolidating peace; and
- Agreed mechanisms for monitoring and evaluation.

Some of these elements are encompassed within the Integrated Strategic Framework (ISF), a new tool that has been applied by several integrated field presences and has to be initiated by all of them by the end of 2010. The ISF is a critical element of an integrated approach as it serves to unify, in many cases for the first time, all UN actors in a country around a common set of peace consolidation priorities.

There are several different kinds of 'integrated UN presences' (the term used on the 2008 decisions), all of which comprise a multi-dimensional peacekeeping operation or political mission/office and a UN Country Team. This includes 'integrated missions' with DSRSG/RC/HC such as UNMIS and UNOCI. It also includes those presences that are not structurally integrated but subject to the principle of integration (e.g., Somalia, Chad and Nepal). The term 'integrated UN office' generally refers to peacebuilding integrated offices that can emerge from multi-dimensional peacekeeping operations, such as BINUB, or be the extension of existing political offices, such as BINUCA. Such integrated offices can be led by an ERSG who is the political head of the mission as well as the RC/HC, or by an SRSG with only one deputy, who is also the RC/HC.

The 2008 decisions resulted in the creation of the Integration Steering Group (ISG) which is chaired by DPKO and meets on a quarterly basis. The purpose of the ISG is to ensure implementation and progress on integration-related issues by providing senior level leadership and oversight on key integration issues in post-conflict contexts. The ISG has met six times so far and is considering a broad range of issues:

- Strategy and planning issues, including the development and approval of the new IMPP guidance package on:
 - Strategic Assessments;
 - Role of Headquarters; and
 - Role of the Field.
- A review of Headquarters task forces (called IMTFs for DPKO-led missions and ITFs for DPA led missions) that the lead departments are required to maintain integrated task forces for each integrated UN presence to ensure coherent and consistent support and policy guidance;
- Administrative, personnel, finance and other issues that present obstacles to integrated activities in the field;
- Integration and humanitarian space; and
- A review of field experience and practice in joint programming involving mission components and UN Country Team members.

With regard to integration and humanitarian space, a discussion paper was presented to the ISG in March 2010 that summarized the concerns of humanitarian actors, including:

- The impact of integration on the security of humanitarian staff;
- The impact of integration on access and the ability of humanitarians to interact with non-state armed groups;
- The related issue of how integration arrangements may influence perceptions of humanitarian actors; and
- Humanitarian advocacy or the 'humanitarian voice' in integration contexts.

Following a constructive discussion, the ISG agreed on the need for a more detailed study aimed at assessing the positive or negative impact of specific integration arrangements on humanitarian space. This study will be conducted in the coming months.

Challenges and Ways Forward

Despite the substantial progress made on integration since the 2008 decisions, much work remains to be done. For example, a recent review of integration in DPA led missions highlighted the difficulties of promoting an integrated approach in highly politicized environments, particularly in active conflict situations. Relations between missions and UN Country Teams have improved in many cases but remain difficult in several others. There is also a perception, including at the senior levels, that integration can involve high transaction costs that are out of proportion to tangible benefits. This relates to the difficulty of measuring the net impact of integration, particularly where some innovations, such as the ISF, are still too recent to yield much in the way of data. It can also be difficult to differentiate fundamental systemic obstacles from those difficulties that stem from variations in approach and working culture. On the other hand, there are many positive examples of successful cooperation and greater collective impact that have resulted from integrating the UN's efforts towards peace consolidation.

It also clear that the successful implementation of integration processes and arrangements demands significantly more training at all levels, both at HQ and in the field. The IMPP Working Group, which reports to the ISG, is discussing how these training needs can be met in collaboration with UN agencies. This includes training for planners and other staff directly tasked with integration related processes, but also briefings to senior leadership, programme managers and many others whose contribution is essential to making integration work well.

There are many important links between the UN's integration and peacebuilding agendas, and both of them face similar systemic challenges. For example, the fragmented international system to support peacebuilding creates a number of obstacles to coherence, accountability, continuity and predictability. This includes the need to draw from disparate financing streams of varying reliability and with different funding and planning cycles across different parts of the UN system and beyond. In addition, different administrative, personnel, and finance rules and systems for missions and members of the UN Country Team present major obstacles that the ISG and other fora such as the HLCM have been trying to address. Even if some of these obstacles can be resolved or mitigated, different UN entities will continue to report to different intergovernmental organs, which complicates efforts towards greater coherence and integration, also because the same member states will not necessarily provide consistent guidance and direction across different organs or organizations.

At the same time, the ambitious agenda laid out in last year's Secretary-General's report on peacebuilding in the immediate aftermath of conflict contains many elements that are crucial for improving integration, including more effective and better supported UN leadership teams on the ground, and an early agreement on priorities and alignment of resources behind them. Tools such as the ISF and enhanced planning capacities are already making an important contribution to a more effective overall response of the UN in post-conflict situations.

Paper prepared by the Department of Peacekeeping Operations

PLENARY SESSION 7

**BUILDING EFFECTIVE LINKS BETWEEN PREVENTION, PEACEKEEPING AND PEACEBUILDING:
THE PEACEBUILDING PERSPECTIVE**

Introduction

It has become axiomatic that peacekeeping and peacebuilding do not progress along a linear continuum, with one set of activities segueing neatly into the next, but rather that they must be undertaken in parallel and reinforce each other. Indeed, peacekeepers and development actors play instrumental roles in peacebuilding, the success or failure of which may affect the lifespan of a mission or the scale and pace of development programmes. There is also increasing recognition that not only must peacebuilding begin when violent conflict has ended but that peacebuilding activities can be initiated – by humanitarian and development agencies, as well as by missions if present – in countries, or areas within them, that remain affected by violent conflict. This reflects not only a shift in our understanding of how conflict can be transformed, but also a transformation in the nature of the conflicts that we confront. And it raises the question of how the UN can most appropriately equip itself to achieve sustainable peace in a changing global environment.

Peacebuilding in a Changing Environment

Many of the threats to international peace and security arise now not from inter-state conflict but rather both transnational and sub-national threats, a change that is readily apparent in the shifting and increasingly complex mandates of UN missions. Early missions, such as United Nations Military Observer Group in India and Pakistan (UNMOGIP), arose in a context of conflicts between states and were concerned primarily with ensuring respect for ceasefire agreements. Later missions addressed conflicts between state and non-state actors, with the UN's role in such environments ranging from observation to peacekeeping to de facto trusteeship. The common denominator in both contexts was the presence of an agreement between the conflicting parties, whether merely to desist from further hostilities or to embark upon a process whose end state was a comprehensive peace. In the past decade, UN political missions have been deployed in countries where key parties have remained outside of the putative peace process and where the mission mandates include, as in the case of UNAMA, components such as political outreach and support to government-led reconciliation efforts.

While UN peacekeeping will have to devise solutions for issues that pertain uniquely to its mission mandates, the system as a whole must respond to the changing environment in which peacebuilding takes place. As adaptive as the UN has been when faced with new sets of challenges, it has often been outpaced by the forces that impede the consolidation of state authority. The inherent mutability of non-state actors has allowed the latter to coalesce with transnational networks with which they may share an ideology, criminal interests, or merely a common adversary. Organised crime, terrorism, piracy, and trafficking have thus progressed to levels that overwhelm state capacities to tackle them. The results include failed states, states in intractable conflict, and weak states undermined by corruption and the complicity of officials in transnational crime. Under such circumstances, violent conflict in one country can spill over into and ultimately engulf a wider region.

The UN has thus increasingly faced the challenge of building peace in a context of continued insecurity and instability, and in which its traditional responses may be inadequate or counterproductive. Even where a semblance of stability is achieved, institutional weakness and social fragmentation may leave open the prospect of renewed conflict and deter the investment and economic growth that are necessary for a durable peace. The normative elements of a peace process – for example, adopting a constitution or holding elections – will then not necessarily represent milestones in the achievement of peace. While these are undeniably important elements in state building, more fundamental change may be needed in a country's institutions and political culture as well as in public perceptions and attitudes.

Delivering Peace Dividends and Building Institutions

In responding to these challenges, the UN must balance the need for early and visible ‘peace dividends’ that build confidence and reduce risks with a longer-term commitment to ensure that countries are better able to prevent, contain, and mitigate violent conflict themselves. Both of these objectives are embedded in the recurring priority areas for coherent and rapid international response that the Secretary-General identified in his report on Peacebuilding in The Immediate Aftermath of Conflict: support for basic services, basic safety and security, political processes, restoring core government functions, and economic revitalisation.

Where violent conflict persists despite the existence of a formal peace process, it may nevertheless be possible to provide such services as basic health care, food assistance, rural infrastructure development, and even primary education. The key elements, experience has shown, are flexibility, innovation, and risk tolerance; if an area is deemed too insecure for UN agencies to operate, partners such as NGOs or, where politically possible, the national government may be in a position to implement and monitor projects and services on their behalf. (The Peacebuilding Fund is, in this respect, a valuable resource for the UN System as a rapidly disbursing and risk tolerant source of financing for projects). The notion that development can precede and lay the groundwork for peace by positively orienting communities toward the formal process runs contrary to traditional sequencing but forms an increasingly important component of peacebuilding strategies. Afghanistan’s National Solidarity Programme, for example, channels small-scale grants and technical assistance to local communities in line with their own identified development priorities; it has been sought out even in areas of the country that currently have no meaningful government presence.

There is a growing recognition that post-conflict countries need, from the outset, to begin developing their capacities for public administration, rule of law, and security through appropriate support to the relevant institutions of state. This might include the provision of basic infrastructure or mentoring through, for example, mixed police patrols or tribunals. But its long-term success requires a significant investment both in infrastructure and capital, including human capital – the latter achieved in part through support for higher education institutions and training centers that can produce future judges, prosecutors, and lawyers, as well as police and civil servants. Institution building benefits indirectly security and stability as well: it provides the social cohesion that enable markets to develop, economies to grow, and jobs to be created.

Informal institutions can play a vital role in mitigating conflict; in some environments, they may extend the authority of the state and enable the peaceful and cost-effective adjudication of land and property disputes, the management of shared resources such as water, and facilitation of refugee and IDP reintegration. Traditional institutions may, however, have been fundamentally transformed by conflict and displacement, with their leadership potentially having fractured, lost standing or been co-opted by parties to the conflict. In such cases, it would be necessary to determine whether these institutions can be rehabilitated or whether new mediation or community-accessible mechanisms should be constituted. Timor-Leste’s dialogue teams, funded by the PBF and implemented by UNDP and IOM, offer an illustrative example of the latter: managed by the Ministry of Social Solidarity, they were initially set up to assist IDP reintegration but their demonstrated effectiveness has now led to the expansion of their mandate to help resolve disputes related to the country’s forthcoming land and property legislation.

Implications for UN Planning

The challenges that the UN now faces in countries affected by conflict, and which it can reasonably anticipate in the future, may require a dramatic shift in its approach. The starting point for the UN should be to identify existing domestic capacity. As noted in the Secretary-General’s report on Peacebuilding in The Immediate Aftermath of Conflict: “Too often the international community begins activities in a post-conflict country without first assessing what capacities exist. There is a tendency to assume that capacity has been completely depleted, rather than finding existing capacity and strengthening it.”

UN mission components should be shaped and staffed with capacity building in mind. The UN often appears to expect that national institutions will have the capacity to assume peacebuilding functions as a mission draws down. We should perhaps instead examine ways in which the UN can shape its mission elements or functions to resemble and interface more with developing domestic capacity, making the handover smoother and more realistic. The vetting of public officials (especially police and military) provides a concrete example: it is seen as something the UN does before handing over the vetted entity to national authorities. But the need for oversight of nascent police and military components in poor countries so soon after or even amidst a violent conflict is hardly something that can be done as a one-off exercise. That kind of oversight, if ongoing and with recognised integrity, can be a critical tool for neutralising a range of conflict drivers. The UN vetting component could perhaps therefore be conceived of, and implemented in alignment with, a national office or function that will continue after UN drawdown.

The Review of International Civilian Capacities is led by PBSO on behalf of and with close support from the UN system, and seeks to improve the international response in the aftermath of conflict. Against a backdrop of fragmentation, change, and crisis, the civilian component of peace operations needs to transform from an ad-hoc coalition, cobbled together by the UN, into a professional enterprise where Member States and the UN accept and share the responsibility for delivering on our collective mandate to build a larger freedom. In order to achieve this, the UN needs to be lighter, faster, and more flexible in terms of its ability to generate civilian capacity.

Beyond the findings of the Review, other observations can be made. The skills sets needed to carry out executive functions such as policing or to administer tribunals are different from those needed to develop the capacity of a country's law enforcement and judicial institutions. This could be surmounted by greater roster interoperability among different UN entities, whose staff may have complementary skills sets, and by canvassing within and beyond the UN System for individuals with multidisciplinary skills sets.

Conclusion

From the Brahimi Report to *In Larger Freedom* to *New Horizons*, the UN has shown that it can take stock, regroup, and return to its mission. The challenge now is not merely to move towards better organising the existing components of the UN family to adapt to the challenges that it now faces and to properly reflect the weight of its experience; the UN must also reconfigure itself in a way that improves its ability to adapt to challenges that are now just barely on the horizon. Climate change is a case in point: some observers consider that this will in future years serve as conflict multiplier, by exacerbating disputes over water resources and access to arable land or by accelerating migration to cities with already strained housing and job markets. The steps that the UN takes toward permitting greater flexibility, innovation, and risk-taking in peacebuilding, and in developing the capacities of states to manage conflict drivers themselves, will also leave it better positioned to meet these and other emerging challenges.

Paper prepared by the Peacebuilding Support Office