A High Level Political Forum for Development Justice

Submission by

Asia Pacific Regional CSO Engagement Mechanism (AP-RCEM)

1. Introduction

The single largest failure of the UN system is the lack of state accountability and the associated impunity that disempowers citizens to demand to deliver state commitments. States have not failed to make commitments to respect, protect and fulfill fundamental human rights. States have repeatedly recognised the systemic failures that fuel inequality, human rights violations and erode sustainable development. Yet, in the absence of institutionalized and binding accountability frameworks, inequality, human rights violations and environmental degradation persist.

The post2015 Sustainable Development Goals offer an opportunity to re-shape development and redress systemic failures. To do this the High Level Political Forum must be cultivated as a strong, independent, transparent and inclusive institution that provides monitoring, review and enables implementation and enforcement of commitments reiterated through the Sustainable Development Goals.

The role of regional monitoring and accountability mechanisms, specifically the Asia Pacific Forum on Sustainable Development (APFSD), needs to be clear, deliberative and accountable. Their work should be reviewed as part of broader UN reform that assesses the composition and democratic nature of UN regional bodies, ensuring equal, democratic and accountable intergovernmental bodies that truly reflect the interests of the populations of the region.

2. Role of the HLPF

To support the implementation of the sustainable development agenda the HLPF must:

1. **Ensure Policy Coherence** – The HLPF must be a vehicle to honor UN Charter article 103, which states that if there is a conflict between the provisions of the charter and any other treaty, it is the charter that prevails. The HLPF should restore the primacy of UN treaties and ensure all agreements and processes, including multilateral and bilateral trade and investment treaties and the work of international financial and trade institutions, do not undermine sustainable development nor the UN Charter.

2. **Support coherence and advance establishment of institutions** required to support sustainable development and incorporate review of those mechanisms including those relating to international tax cooperation, sovereign debt restructuring, private sector accountability, Financing for Development while respecting their separate but complimentary review and implementation processes. Coherence on the work and approaches of existing institutions to avoid duplication, inconsistency and waste of resources resulting from silo approaches that undermine the attainment of sustainable development should also be addressed by the HLPF.

3. **Establish Review and Monitoring Mechanisms** – The HLPF should institute periodic peer reviews of the progress of implementation of the sustainable development goals and targets and of the national, regional and global action plans established to implement the goals. Periodic peer reviews at national, regional and international level should take place, with active participation of civil

society, major groups and stakeholders. Reviews should result in specific commitments to address any failures in progress to meet goals and targets. Review and monitoring mechanisms must clearly articulate dedicated space and process for civil society contributions.

4. **Formalize Operationalize and institutionalize the modalities for participation of Major Groups** and other stakeholders, using GA Res 67/290 as a basis, with particular recognition of the contributions of **organized constituencies at the regional level** and with respect for the principles of autonomy and self-organization;

5. Develop transparent accountability and reporting mechanisms for all stakeholders involved in financing for sustainable development, including UN agencies, international financial and trade institutions, implementing agencies and other relevant actors in the private sector and intergovernmental and non-governmental organizations recognizing that financing for the sustainable development goals is a state obligation ;

6. Review and address systemic obstacles to access to environmentally safe, socially appropriate, gender-sensitive and economically equitable technologies and establish technology facilitation mechanism at the global level, with adequate oversight and active participation by civil society;

7. Establish independent special rapporteurs to assess progress, identify systemic and specific barriers, violations and obstacles and provide recommendations to advance rights to sustainable development;

8. Adhere and apply the principle of non-regression so that all rules and practices expand regarding participation and transparency do not regress with respect to either current

formal and informal practices of internationally agreed principles and rights, such as the human rights to participate in decision-making and access to information; and

9. Support communication, outreach, capacity building and funding to ensure communities, particularly the most marginalized are aware of the sustainable development goals and can fully participate in their implementation and review.

3. Civil society engagement – ensuring regional representation

The importance of civil society engagement was recognized in the founding of the United Nations and has been referenced in multiple UN documents. UNGA Resolution 67/290 on the format and organizational aspect of the high level political forum on sustainable development encourages civil society to "autonomously establish and maintain effective coordination mechanisms for participation in the high-level political forum and for actions derived from that participation *at the global,* ***regional and national levels, in a way that ensures effective, broad and balanced participation by region*** *and by type of organization*" (UN 2013 emphasis added).

To ensure effective civil society engagement at the global and regional level processes can be guided by following parameters:

a) The diversity of civil society and social movements and the diverse means for outreach to their respective constituencies should be respected, as they represent significant capacity necessary to connect agenda setting with implementation.

b) Full access to all official documents and information within a reasonable time period prior to official meetings should be provided, ideally with translation to different languages widely used in the region in order to reach out to broader constituencies.

c) Transparent, inclusive and meaningful opportunities for civil society interactions with Member States in defining the agenda and optimizing civil society inputs in intergovernmental discussions such as through the establishment of joint working groups that include civil society representatives (such as the one adopted for the Disabilities discussion in the annex of ESCAP Resolution 69/13), and the right of civil society to intervene and make recommendations at official intergovernmental meetings should be ensured.

d) Civil society speaking spots in all panels should be assured and organized through civil society selection processes;

e) CSO's autonomy and capacity to organize through collectively agreed mechanisms at the regional level should be recognized by the UN system at the regional and global levels.

f) Meaningful policy dialogue and engagement at the national level between government and civil society should be encouraged, to ensure coherence and effective national implementation of the resolutions and decisions adopted by UN bodies.

g) The UN at regional and international levels should enable CSOs to prepare for substantive and theme-based engagement in intergovernmental processes and facilitate their participation in regional and sub-regional civil society preparatory meetings prior to Commission meetings and sustainable development processes;

h) Major groups and organized stakeholder structures are able to organize official side events and round tables in collaboration with UN agencies during all national, regional and international intergovernmental meetings.

4. The Asia Pacific Regional Civil Society Engagement Mechanism – A Good Practice Case

Study

While providing a structured means to manage diversity among civil society, it has been argued that the major groups engagement mechanism, while formalizing participation, has also reduced the scope and role of CSO engagement with the UN system (Adams 2013). Placing business and industry and local authorities in an engagement mechanism with civil society can dilute critical messages. The major groups can also serve a filtering role which can further limit the voice and participation of regional representation. Historically major groups have Northern based operating partners engaged at head-quarter level. While several attempts have been made to expand engagement with Southern CSOs (including the proposal of a CSO global fund for engagement and other mechanisms), until recently little had occurred to ensure civil society from the Asia Pacific region is fully engaged in international and regional processes. Civil society engagement in regional processes, in particular, has been sporadic and primarily thematic.

To ensure that the diversity of Asia and Pacific civil society is able to engage with and influence national, sub-regional, regional and international intergovernmental processes and to also ensure that the peoples of Asia and Pacific are able to promote and implement sustainable development goals, the Asia Pacific Regional Civil Society Engagement Mechanism (RCEM) was formed.

The AP-RCEM was initiated, owned and driven by CSOs and their constituents. It has been set up after a series of meetings and collaborative consultations under the auspices of UNESCAP and seeks to engage with Member States and UN agencies on development related processes and issues.

As an open, inclusive and flexible mechanism, RCEM is designed to reach the broadest number of CSOs in the region, harness voices of grassroots peoples and their movements to advance development justice.

The RCEM builds upon the Major Groups structure while expanding it to ensure that constituencies most relevant to the region are recognized and provided equitable space for engagement with the UN system in the region. The RCEM recognizes 17 constituencies and 5 sub-regions. The 17 constituency groups under the RCEM are: women; farmers; fisher folk; youth, children and adolescents; migrants; trade union/workers; people living with HIV; LGBTIQ; urban poor; people displaced by disasters and conflict; small and medium enterprises; science and technology; persons with disability; Indigenous peoples; elderly; Local Authorities and NGOs. The RCEM, with its inclusive mandate, will ensure that the people in the "region are better represented by civil society and social movements in global negotiations and have a stronger, coordinated, and more effective voice in regional processes."

Since its inception the RCEM has been coordinating input from the Asia Pacific region ensuring a regional voice during the post2015 negotiating sessions. The RCEM has been able to collaborate to come to shared positions for most hearings, an extraordinary feat for the most diverse and largest region of the world. RCEM members unite around a common call for Development Justice that aims to reduce inequalities of wealth, power, resources and opportunities between states, between rich and poor and between men and women. It requires five transformative shifts of redistributive justice, economic justice, social and gender justice, environmental justice and accountability to the peoples.

The importance of strengthening collaboration with the RCEM was specifically recognised by member states in the Asia Pacific region through the Asian and Pacific Ministerial Declaration on Advancing Gender Equality and Women's Empowerment. Section 58 (f) calls on UNESCAP "To strengthen coordination with regional civil society through, inter alia, the regional civil society engagement mechanism;"

The contributions of RCEM as a regional mechanism for CSO engagement with the UN in the region is also recognized through the formal acknowledgement of its role as partner of ESCAP in organizing the official CSO forum that precedes the first APFSD in 2014 and the one underway for 2015, as well as in providing direct inputs in the preparations for the official process. The APFSD has so far provided an emerging model for inclusive and substantive engagement with CSOs towards establishing a regional monitoring and accountability mechanism for sustainable development commitments.

5. Way Forward: Ensuring Interfaces among Global, Regional and National Mechanisms for Monitoring and Accountability in Sustainable Development Commitments
While RCEM presents a best practice in CSO-led development of an effective and meaningful engagement mechanism with the UN system at the regional level – an area that is considered the weakest sphere for UN presence and relevance - there remains a challenge on how to ensure interface between the global and regional levels, as well as interface between the global/regional

and national levels. Concretely, this challenge translates to how the HLPF interfaces with the APFSD, and how the HLPF/APFSD interfaces with national institutions and mechanisms for sustainable development implementation and monitoring – which in the end, will determine the relevance of these mechanisms to the attainment of sustainable development as a whole.

RCEM hopes to address this challenge by ensuring that the diverse constituencies that comprise it represent CSOs and social movements that have strong presence at the national and regional level, to ensure that grassroots voices are heard. The engagement opportunities facilitated by RCEM at the regional level aim to provided adequate spaces for grassroots and national voices to be aired in official processes. RCEM also actively engages in global spaces and processes, including those that directly feeds into the HLPF discusses, as well as proactively links up with relevant international CSO formations. These deliberate and targeted linkages are aimed