



Center for Economic and Social Rights

Input to High Commissioner's report on Civil Society Space in Multilateral Institutions

This submission focuses on civil society space in one particular multilateral space that is very relevant to human rights enjoyment: the High-Level Political Forum on Sustainable Development (HLPF). The analysis and recommendations are based on CESR's and our partners' experience of participation in the HLPF in 2016 and 2017, and in studying the follow-up and review procedures for the 2030 Agenda.

The importance of the HLPF and the 2030 Agenda as arenas for civil society participation

The HLPF is an important space for the High Commissioner's report to include in its analysis and recommendations, given that it is a high-level political process under the auspices of the Economic and Social Council, facilitated by a Secretariat within UNDESA. The HLPF is intended to be the apex of the 2030 Agenda for Sustainable Development's 'follow-up and review' system; a global platform where progress towards the Sustainable Development Goals (SDGs) at national, regional, and global levels can be monitored and challenges shared. Efforts towards the SDGs will be a crucial determinant of human rights enjoyment around the world, directing resources, political priorities and attention. As OHCHR, the Secretary-General and others have pointed out, ensuring accountability is a crucial ingredient of SDG success.¹

Indeed, one of the goals of the 2030 Agenda is to build effective and accountable institutions, and "ensuring responsive, inclusive, participatory, and representative decision-making at all levels" is one of the commitments of SDG 16. Civil society organizations see this pledge as a potential bulwark against the restriction of civil society space in different contexts. Many are seeking to engage tactically with the SDG follow-up and review process as a vehicle for monitoring their government's human rights performance. The agreed framework of development commitments often provides a more open and less politically charged context for human rights work than other avenues of rights-claiming and accountability which may be foreclosed in their countries. The close alignment of the SDGs with existing human rights commitments – a hard-won achievement of human rights advocates involved in the process – makes the 2030 Agenda a particularly useful platform for human rights work to take place 'under-the-radar', in countries where there may be fewer restrictions on participation in *development* debates and processes, as opposed to those explicitly premised on human rights.

Shortcomings of the HLPF

A key part of the HLPF are the Voluntary National Reviews, where States produce a report on their progress towards the 2030 Agenda and present it during the HLPF. The VNR process is intended to be an opportunity for States to honestly reflect on their progress, and air their concerns and challenges. This exchange of ideas should foster greater progress on the SDGs, and encourage States to be accountable

¹ OHCHR and Center for Economic and Social Rights, *Who Will be Accountable?*
<http://www.ohchr.org/Documents/Publications/WhoWillBeAccountable.pdf>



to their people during implementation. In order to foster such accountability and clarity about progress and setbacks, the inclusion of independent civil society perspectives is absolutely crucial.

Unfortunately, channels and opportunities for meaningful civil society participation in the HLPF were very limited, ultimately undermining the rigor and legitimacy of the process. Hundreds of civil society representatives from all over the world travelled to New York for the HLPF. Many expressed a desire to hold their governments accountable for lack of progress and misguided policies, and several national coalitions and groups produced excellent, exhaustive ‘shadow’ or ‘spotlight’ reports.² However, such initiatives were met with only tokenistic opportunities to participate, for example given no status, space, or even acknowledgement in the Voluntary National Review (VNR) segments of the HLPF, unless the country in question proactively chose to do so – which most did not. The reports were also not posted anywhere on the official HLPF website. Several broad civil society coalitions that prepared alternative reports were not even given space to hold side-events within UN premises, as was the case with the unique global reporting initiative *Spotlight on Sustainable Development*.³

Without official space for alternative reporting, as is common in Geneva-based processes, States’ accounts of progress went unchallenged throughout the VNR process. A few States did choose to include members of national civil society in their delegations, which is a good practice to encourage, but not sufficient on its own; civil society participation should not depend on the discretion and vetting of States but should be a core part of the process.

Especially given the dubious rigor of some of the official national reports and the underwhelming SDG progress in many contexts, this marginalization and tokenization of civil society participation seriously undermines the credibility of the VNR process and the whole HLPF. Moreover, while space for civil society is being actively closed down by governments in many parts of the world, the HLPF should provide a counterbalance, an opportunity for engagement and a place where government action can be subjected to scrutiny. CESR partners working in extremely restrictive environments have turned to the HLPF as a rare opportunity to hold their governments answerable for their SDG commitments, drawing attention to the gap between government discourse on civil society participation in development processes and the realities on the ground.⁴

Recommendations

Improvements to civil society participation in the HLPF could be shaped by the following recommendations:

² See for example Spotlight on Sustainable Development 2017, <https://www.2030spotlight.org/en>; Spotlight Synthesis Report on Brazil <https://brasilnaagenda2030.files.wordpress.com/2017/07/spotlight-report-cswg-brazil-hlpf2017.pdf>; Civil Society Report on SDGs in India <http://wadanatodo.net/highlight/civil-society-report-on-sdgs-agenda-2030/>

³ See Spotlight on Sustainable Development 2017, <https://www.2030spotlight.org/en>

⁴ See for example “[Egypt cracks down on human rights while championing sustainable development at the UN](#)” (CESR, September 2016). Egyptian CSOs made a point of participating in Egypt’s VNR review at the 2016 HLPF following very limited opportunities for national-level consultation or participation on Egypt’s progress report.



- 1. More time for VNRs, and more time for civil society perspectives within them.** The VNR process should be the main focus of the HLPF. In 2017, only 3 of the HLPF's 8 days were dedicated to the VNRs, and civil society were only given very constrained and contingent opportunities to comment or ask questions. In some cases, civil society collectively only had 2 minutes to comment or ask questions on VNR presentations relating to *three different countries*.
 - To allow more time for more meaningful VNRs and more alternative perspectives, the HLPF program should be reorganized to allocate at least 5 days of the HLPF to VNRs.
 - To ensure independent analyses and an array of perspectives, the VNR modalities should incorporate more time for alternative reporting and an array of CSO statements. Rather than forcing all of civil society to agree on one two-minute collective statement, the modalities should allow for a diversity of perspectives. For example, if the VNR slots are made longer, there should be time allowed for 3 separate civil society statements. Where national civil society coalitions have produced 'shadow' or 'spotlight' reports for the country in question, one slot should automatically be dedicated to report the findings of that exercise.
 - In addition, to allow for meaningful and specific questions and dialogue, each reporting State should have to present their report individually. During the 2017 HLPF, reporting States were allowed to present their report in 'panel style' with 2 or 3 other States (often countries with vastly different circumstances and challenges), with questions to the group only allowed after the succession of presentations.
- 2. Give official recognition to alternative/'shadow' reports.** Shadow reports prepared by civil society should be given official recognition and space on the HLPF's VNR website, as they are for the human rights treaty body reviews. Another proposal made by members of the Post-2015 Human Rights Caucus in 2015 when the 'follow-up and review' component of the 2030 Agenda was being negotiated,⁵ suggested that the HLPF Secretariat should prepare official summaries of civil society and other stakeholder inputs as part of the official record. This is also based on practice from Geneva, in this case the Universal Periodic Review (UPR) of the Human Rights Council.
- 3. Incorporate more voices from marginalized and disadvantaged groups.** The 2030 Agenda promises to 'leave no one behind'. However, the people and groups most at risk of being left behind were rarely heard from at the HLPF, not least because of the cost and difficulty (including visa restrictions) of travel to New York. Previously, a trust fund has been suggested to enable participation by people living in poverty or with other marginalized status. Meaningful remote participation could also be integrated into the process to provide for better access and more alternative dialogue. Remote access could range anywhere from remote audiovisual participation to something as simple as accepting questions via social media.
- 4. Encourage robust peer review:** States and CSOs should have dedicated time to provide recommendations in response to VNRs and alternative reports, again as in the UPR. This peer-review process would encourage accountability, and function to universalize expectations for SDG implementation, but would depend on the more complete view of progress that only meaningful CSO participation can provide.

⁵ http://www.cesr.org/sites/default/files/post-2015_accountability_proposal.pdf



The HLPF might live up to the SDG vision of effective, inclusive, and accountable if it adopted mechanisms for civil society participation more similar to those utilized by the Geneva human rights mechanisms and bodies, including the treaty bodies, the UPR, and the Human Rights Council more broadly. Additional voices in the process, especially from a broad array of national and international civil society actors, would ensure the credibility of SDG follow-up and review efforts, and provide a more complete view of the scope of implementation and the outstanding challenges including who is being left behind.

While the HLPF is only one part of the global infrastructure for SDG monitoring and accountability, these reforms can play an important role in enhancing civil society participation at the regional, national, and local levels. Because of its role at the apex of the SDG monitoring system, the HLPF should model the standards of inclusivity to be followed at the regional and country levels, sending an unequivocal signal to all governments that defending the space for civil society participation is both a goal of the 2030 Agenda and a central condition for its achievement.