

Participatory Accountability Mechanisms for the Post-2015 Development Agenda

UNDG Asia-Pacific Contribution to the Regional Consultation on Accountability

31 July 2014

Introduction

This paper captures experience on participatory, rights-based and evidence-based accountability mechanisms at different levels (national, regional and global), which have been supported by the Asia-Pacific UNDG, and which could help inform the post-2015 accountability agenda. The paper describes how lessons from the MDGs can inform the development of regional and national accountability mechanisms, and how civil society participation, catalyzed by innovative Information and Communications Technology (ICT) solutions, can help create integrated and participatory accountability mechanisms to meet the needs and aspirations of people in the Asia-Pacific region.

This paper has been developed for the ‘Regional Consultation on Accountability for the Post-2015 Development Agenda’, organized by the Economic and Social Commission for Asia and Pacific (ESCAP), which will take place in conjunction with the Seventieth Commission’s session, on the 5th and 6th of August 2014.

This paper also documents evidence from the United Nations country consultations in Asia-Pacific on the expectations of people (citizens, stateless people and migrant workers) and civil society to be part of the implementation, monitoring and review of a post-2015 agenda. Drawing together the above themes, it then provides recommendations for an integrated participatory accountability mechanism for the post-2015 development agenda.

I. How can lessons from the MDGs inform a new accountability mechanism for the SDGs

Accountability in the context of the MDGs can be understood as the dynamic relationship between rights and responsibilities of countries and people, as well as of developed and developing countries. The MDG framework has been underpinned by three different accountability relations:

- i) The first relates to the mutual accountability between developed and developing countries (horizontal accountability relations); whereby developing countries are accountable to their development partners in the context of direct budget support and other forms of development assistance, and developed countries are accountable to developing countries, with regard to their commitments on the global partnership for development.
- ii) The second relates to the accountability of countries towards the people (vertical accountability relations).

- iii) A third distinction is between national and international (regional and global) mechanisms of accountability. The interplay between these two levels determines their effectiveness to drive the implementation of globally accepted development goals.

The universal nature of the future development framework calls for an accountability mechanism that encompasses both levels of accountability as well as all types of accountability relations, with the understanding that, as we move to the universal post-2015 agenda, horizontal accountability will no longer refer to the developed-developing countries type relationship, but will mean accountability between all countries for shared commitments (i.e. to provide global public goods).

Global initiatives

At the global level several initiatives have been put in place since 2001, to monitor and report on progress towards the MDGs. Since 2002, the United Nations Secretary-General has been reporting annually to the General Assembly on the implementation of the Millennium Declaration. As of 2005, the United Nations Department of Economic and Social Affairs (DESA) has been publishing annual reports on MDG progress. In 2007, the Economic and Social Council (ECOSOC) launched the Annual Ministerial Review (AMR), an intergovernmental process mandated to assess country performance in specific areas, based on the submission of national voluntary presentations. As of 2008, the Secretary-General's MDG Gap Task Force has been publishing annual reports to monitor progress towards commitments that developed countries have made to developing countries (i.e. Goal 8). Lastly, the OECD tracks country performance against the commitments of donor countries to increase their aid to support progress on the MDGs.

Regional initiatives

At the regional level, the United Nations Regional Commissions have been producing regional reports on progress towards the MDGs¹. In Asia and the Pacific, a partnership between ESCAP, ADB and UNDP has collaborated with the UNDG to prepare 8 regional MDG reports. The reports monitor progress at the regional level, and allow comparisons across countries - highlighting successes and revealing deficits based on comparable data. It also informs policy dialogue around issues and concerns from the region. The report is informed by broad-based consultations with governments, civil society organizations, the private sector and other stakeholders, through sub-regional consultations and other means (surveys, experts' panels, etc.).

In the Pacific, the Secretariat for the Pacific Community (SPC) does data gathering and analysis on the MDGs and provides statistical support for Pacific Island Countries' National Statistics Offices. The Pacific Island Forum Secretariat (PIFS) brings data and information on MDG progress in the region to the Forum Leaders annual meeting, where progress is collectively discussed. In this Forum, countries that have made progress on particular Goals provide support to countries that are lagging behind.

¹ The Economic Commission for Latin America and the Caribbean has developed a regional mechanism to monitor progress towards the Goals' targets. The League of Arab States produces periodic joint reports with the Economic and Social Commission of Western Asia on regional progress on the Goals.

National initiatives

At the national level, countries have been preparing National MDG Reports, tracking progress towards the achievement of the goals using national data. In Asia and the Pacific 36 countries have prepared MDG reports since 2005, including developed countries,² with varying frequency (some countries have produced only one report in the past 9 years, some others up to six).

Following is an overview of the existing MDG-related accountability mechanisms.

Table: MDGs accountability mechanisms

Accountability relations/ Levels of accountability mechanisms	Mutual accountability (horizontal relations/country-to-country)	Accountability of countries towards people (vertical accountability relations)
Global	<u>Reporting/monitoring</u> - MDG Gap Task Force report - OECD tracking of country performance on ODA	<u>Reporting/monitoring</u> - UN SG report to the GA - DESA global MDG report - ECOSOC Annual Ministerial Review <u>Treaties and Conventions (thematic)/reviews processes</u> - Human Rights Treaties, including CEDAW - UN Convention against Corruption review mechanism - Universal Periodic Review (UPR)
Regional	<u>Reporting/monitoring</u> Regional MDG reports – limited data on Goal 8	<u>Reporting/monitoring</u> - Regional MDG reports – i.e. ESCAP/ADB/UNDP Asia-Pacific MDG report - Africa Peer Review Mechanism - ADB-OECD initiative against corruption
National	<u>Reporting/monitoring</u> National MDG reports – limited data on Goal 8	<u>Reporting/monitoring</u> - National MDG reports <u>Social accountability mechanisms</u> - Access to information and data - Consultative processes - Participatory processes (e.g. participatory budgeting and planning, etc.)

A review of over ten years of monitoring and reporting on progress towards the MDGs has highlighted some gaps and lessons to be learned. In 2010, the High-level Plenary Meeting of the

² Afghanistan, Bangladesh, Bhutan, Cambodia, China, Democratic People's Republic of Korea, Fiji, India, Indonesia, Iran, Japan, Kiribati, Lao Peoples Democratic Republic, Malaysia, Maldives, Marshall Islands, Micronesia (Federated States of), Mongolia, Myanmar, Nauru, Nepal, Pakistan, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Sri Lanka, Thailand, Timor-Leste, Tokelau, Tonga, Tuvalu, Vanuatu, Viet Nam.

General Assembly on the Millennium Development Goals underlined the limitations of international MDG accountability procedures that focus solely on reporting and monitoring.³ The main weaknesses that were identified⁴ included:

- The voluntary nature of the intergovernmental ministerial review process (only a few countries have presented reports to the annual ministerial review),
- The limited scope for peoples' participation in independent reviews, and
- The absence of recommendations that can be monitored and followed up.

Many systems of reporting including those for the MDGs, human rights treaties, national development plans, and other reporting have often occurred in parallel, without cross-referencing. Moreover, parliamentarians, civil society, minorities and marginalized communities, national human rights institutions (NHRIs) and others have, by and large, not been part of national MDG reporting processes, which has hampered the use of the report as an accountability mechanism.⁵ Moving forward, improvements upon the MDG review process can be made, by bringing in civil society more strongly and ensuring coherence across different reporting mechanisms.

Lessons for an integrated new accountability mechanism post-2015 can be learned from several experiences of UNDG-supported national, regional and global accountability mechanisms.

Maternal and Child Health (Goals 4 & 5) - The Commission on Information and Accountability for Women's and Children's Health is one of the most advanced and innovative sector-specific global MDG accountability mechanisms.⁶ It was established in 2010 with the support of WHO, to strengthen reporting, oversight and accountability of the Global Strategy for Women's and Children's Health. It proposes a "monitor-review-remedy/act" framework, tracking progress through a limited number of strategic indicators; it monitors both resources and results and identifies the roles and responsibilities of the different partners involved, domestic and international. It addresses the issue of donor accountability, focusing on the reporting of transfers of financial and technical assistance. It also identifies opportunities for leveraging ICTs and innovative technologies to improve access to information and peoples' participation.

Water and sanitation (Goal 7) - The WHO/UNICEF Joint Monitoring Programme for Water Supply and Sanitation captures the human rights dimensions of availability, accessibility, affordability, quality and non-discrimination. It explicitly integrates human rights criteria within its comprehensive accountability framework for the global monitoring of water and sanitation targets, which will monitor outcomes, policy efforts and resource allocations to assess whether Government and donor interventions meet the entitlements of rights holders. The Joint Monitoring Programme has developed proxy indicators on sustainable access to safe drinking water and basic sanitation. It is developing methods for monitoring water quality and evaluating whether resource allocations benefit the poorest populations.

³ "Who will be accountable? Human Rights and the Post-2015 Development Agenda", OHCHR

⁴ Ibid

⁵ In some countries, stakeholders have been consulted quite extensively, such as Colombia, in other not, with North Korea at the other end of the spectrum. In some cases it has also differed for sub-national report (Pakistan as example). The original guidance note for the MDG report, prepared by the UNDG, does mention stakeholder participation, however, stakeholder engagement tends to be done more regularly for (MDG based) national development strategies.

⁶ Ibid

HIV/AIDS (Goal 6) - There are also UN-led initiatives that support regional and global monitoring towards Goal 6. UNAIDS, ADB and UNICEF have partnered to support the Regional Data Hub project – www.aidsdatahub.org, a public domain providing access to data and information on progress towards AIDS related targets in Asia and the Pacific. At the national level, the “AIDS Zero Portal” in **Thailand** is a partnership between Thailand’s National AIDS Committee and UNAIDS. The initiative is a one-stop-shop for HIV and AIDS data in Thailand; it provides decision-makers and development practitioners with high quality, accessible and up-to-date disaggregated data on HIV and AIDS for populations at risk and specific geographical areas. “iMonitor” is a unique partnership between SWING, a Thai NGO working with sex workers, and the Indonesian AIDS Coalition (IAC), a network of people living with HIV. It provides communities, in **Indonesia**, with critical data and information that help them monitor the delivery of critical HIV-related health care services, and advance demands for better access to quality health services.

Vulnerability/labor migration - ILO supports the ASEAN Migrant Labour Forum, which brings together governments, laborers, trade unions and CSOs to discuss issues related to migration. The ASEAN community has recognized the importance of labor migration in the region and the need to protect and promote the rights of this vulnerable workforce. In January 2007, the Heads of States of the ASEAN Members States signed the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (Cebu Declaration, 2007). The annual ASEAN Forum on Migrant Labour (AFML) is a unique regional accountability mechanism, whereby each year the themes of the forum are taken from the obligations of sending and receiving states outlined in the Cebu Declaration. Discussions on the theme result in the adoption of Recommendations that bring life to the Declaration’s provisions. The AFML is the only tripartite labor migration focused forum in ASEAN, with active involvement of the ILO tripartite constituents -government, employers’ and workers’ organizations- as well as the ASEAN Secretariat, civil society organizations and international organizations. AFML Recommendations are consensus, rights, and evidence based; and gender sensitive. Post-AFML meetings with Employers, workers’ and CSOs ensure the implementation of Recommendations. The progress made against these Recommendations in each country is reported on at the following years’ forum and is being tracked bi-annually by the ILO.

The Universal Periodic Review (UPR) - Established by the Human Rights Council, the Universal Periodic Review (UPR) is an intergovernmental peer review mechanism that holds States accountable for their human rights obligations. Every Member State of the UN is obliged to undergo this review every four and a half years. All stakeholders, including the UN and civil society, can provide inputs to the process at various stages. States are encouraged to prepare their official report through a process of broad national consultations, including with NGOs, academia, researchers, human rights defenders, trade unions, the media and other civil society members. NHRIs and CSOs can provide information independently, which are included in a compilation of stakeholders’ inputs prepared by the OHCHR. To ensure broad-base participation in the process, inputs need to be submitted through an online system.

UN Human Rights Treaty Bodies, - The human rights treaties - *including CEDAW, CRC, CMW and others*⁷ - are underpinned by robust accountability mechanisms, which include specific

▪ ⁷ The Human Rights Committee ([CCPR](http://www.unhcr.org/refugees/article/43c47661.html)),
▪ the Committee on Economic, Social and Cultural Rights ([CESCR](http://www.unhcr.org/refugees/article/43c47661.html)),

mechanisms that promote peoples' participation. States are held accountable by human rights treaty bodies (committees), which monitor the implementation by State Parties of the core human rights treaties. State Parties submit periodic reports concerning their implementation of the treaty in question to the body monitoring it.⁸ Civil society actors can inform the treaty bodies about the progress made by the State in implementing both the respective treaty and the committee's recommendations. They are encouraged to provide information, for example via the submission of written reports. If a State Party does not submit a report for a period of time, the committee may issue its observations based on information provided by civil society, UN entities and other stakeholders. Some treaty bodies⁹ may, under certain conditions, receive and consider individual complaints or communications, which increases accountability relating to specific cases of alleged human rights violations. They¹⁰ can also consider and act upon individual complaints, by conducting country visits, based on reliable information of serious, grave or systematic violations of the respective treaty in a State Party.

The Special Human Rights Rapporteurs and other Experts – The Special Human Rights Rapporteurs and other Experts are the most accessible international mechanisms. Any member of civil society may, individually or collectively, access and work with special rapporteurs, through their secretariat, hosted by OHCHR, and selectively through direct contacts. A central avenue for engagement is the submission of information on individual cases or situations and systematic patterns and trends (e.g. legislation, policies) of human rights violations. These form the basis for communications by the special rapporteurs to the Government, which are requested to respond with information in a set time frame. Information can be submitted by anyone and must identify the alleged victim(s), perpetrator(s), person(s) or organization(s) submitting the information, and provide a detailed description of the circumstances of the alleged violation.

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- the Committee on the Elimination of Racial Discrimination ([CERD](#)),
 - the Committee on the Elimination of Discrimination against Women ([CEDAW](#)),
 - the Committee against Torture ([CAT](#)),
 - the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment ([SPT](#)),
 - the Committee on the Rights of the Child ([CRC](#)),
 - the Committee on Migrant Workers ([CMW](#)),
 - the Committee on the Rights of Persons with Disabilities ([CRPD](#)), and
 - the Committee on Enforced Disappearances ([CED](#)).

⁸ Except to the Sub-Committee on the Prevention of Torture, which conducts direct monitoring visits to places of detention rather than meetings and dialogues with States parties.

⁹ Treaty bodies monitoring ICCPR, CERD, CAT, CEDAW, CRPD, CED and CESC.

¹⁰ CMD and CRC.

Regional Accountability Mechanisms- experiences from other regions

The African Peer Review Mechanism - While not directly linked to the MDGs, the African Peer Review Mechanism (APRM) is considered the first of its kind. It was launched in 2003 by the African Union to promote political stability, sustainable development and economic integration in Africa. Voluntarily adopted by African states, the APRM helps assess progress towards mutually agreed objectives in the areas of: (i) democracy and political governance, (ii) economic governance and management, (iii) corporate governance and (iv) socio-economic development. It promotes the sharing of experiences amongst participating countries, the adoption of successful practices, and the identification of capacity gaps and strategies to address them. The APRM is supported by UNECA, UNDP and the African Development Bank (ADB).

Following the base review, within 18 months after a country becomes and member, reviews are undertaken regularly, every two to four years. The process comprises a governance self-assessment by the participating countries and an external evaluation by the APR Panel, leading to a peer-review by the leaders of member countries, through the APR Forum.¹¹

The process is comprehensive, participatory and inclusive. The assessment is not limited to the executive, but extends to the parliament, branches of the judiciary, the private sector, civil society and the media, all contributing to shared development objectives. Consultations are also inclusive, and comprise government agencies, the parliament, the judiciary, civil society, religious organisations, ethnic minorities, women and youth groups, the private sector, and other stakeholders.

One critical feature of the APRM is the National Programme of Action (NPoA). Going beyond self-assessment, evaluation and review, the APRM culminates in the NPoA, collectively prepared by all stakeholders. Monitored, in turn, through a representative body of state and non-state actors, the NPoA provides a space for dialogue on governance and socio-economic issues in the participating countries, and the opportunity to build a national consensus and a shared commitment on the way forward. It also provides an effective mechanism for countries to follow-up on findings and recommendations, and take action on slow progress or reversals.¹²

Lessons for a post-2015 accountability mechanism

National level

- *Enhance Parliamentary oversight of SDG progress* – The experiences reviewed here show that the engagement of parliaments in review and reporting on the MDGs has been weak. Given the critical oversight function of parliaments in democratic societies, these should form part and parcel of an accountability mechanism post-2015. Cross-parliamentary committees can track progress towards the SDGs, stimulate parliamentary debates, address (parliamentary) questions to government ministries on progress (or lack thereof) towards targets, and even open inquiries. Their oversight function would also be strengthened by a closer collaboration with civil society, youth, business, marginalized groups, and other stakeholders.
- *Establishing mechanisms for the private sector to engage* – From the review it has also emerged that private sector actors have had little space to engage in accountability mechanisms

¹¹ The APR Forum is a Committee of Participating Heads of States and Government of the Member States of the African Union that have voluntarily acceded to the APRM.

¹² <http://aprm-au.org/about-aprm>

for the MDGs. The private sector plays a critical role in supporting sustainable development in the region, by generating employment, supporting sustainability and sustainable production, investing in new technologies and innovative solutions to development needs, etc. Given this critical role, businesses need platforms to provide feedback to government institutions and express preferences and needs with regard to development policies and their implementation.

- Civil society and other stakeholders' engagement in National MDG/SDG Reports - While in some cases national MDG reports have been prepared with some degree of civil society engagement, by and large, they do not emerge from an inclusive process of government, civil society and UN collaboration.¹³ Moving forward, more space should be opened for civil society and other stakeholders' engagement in the preparation of SDGs reports, throughout the process, which is not limited to a one-time consultation workshop, but is sustained over time. The engagement of civil society, businesses and other stakeholders, should be genuine and substantive participation of all strata of society in the review process, including the formulation of recommendations for addressing development gaps, lack or slow progress. Civil society's participation should be inclusive of all members of society, including ethnic groups, women, youth, migrant workers, PLHIV, vulnerable and marginalized populations, businesses and others.

Regional level

- Building blocks of a regional accountability mechanism - Building on the lessons emerging from the Africa Peer Mechanism, the building blocks of a regional accountability mechanism might comprise: (i) participatory national SDGs reports, providing countries' self-assessments on progress (or lack thereof) towards sustainable development goals. The national SDGs report should be participatory and inclusive of all members of society and could be supported by UN Country Teams. (ii) Independent and participatory review of progress and issues faced by countries in the region, in the fashion of the APR Panel evaluations. These review could be done leveraging on the ESCAP/ADB/UNDP collaboration for the preparation and publication of the regional MDG report. The report could serve as an instrument to support findings of country self-assessments, offer cross-country comparisons, and identify emerging issues or potential for synergies and collective actions, for example for promoting regional integration, to address cross border development challenges. (iii) Voluntary peer review process, led by the regional economic commission, and supported by the UNDG through a regional multi-stakeholder platform.

- *Regional MDG/SDG Reports part of the post-2015 regional accountability architecture* -

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