

Overview of the Evolution of Governance and Reporting Structures of UN-Habitat

1. INTRODUCTION

The purpose of this document is to provide a synopsis of the current governance structure of UN-Habitat. It describes the various instances and structures of decision making. It is accompanied by a brief historical overview on highlights in the evolution of the governance structure of UN-Habitat.

2. BRIEF HISTORICAL OVERVIEW

1972: United Nations Conference on the Human Environment, Stockholm, establishes UNEP and the United Nations Habitat and Human Settlements Foundation (UNHHSF)

1976: First United Nations Conference on Human Settlements, Vancouver, Canada

1977: Establishment of the United Nations Centre for Human Settlements - UNCHS (Habitat) GA resolution 32/162. This resolution designated the Commission on Human Settlements, a functional commission of ECOSOC, as the governing body.

1978: First meeting of the Commission on Human Settlements (CHS) comprised of 58 member States rotating on a three year basis reporting to the General Assembly through ECOSOC.

1978-1989: CHS meets every year for 10 working days, spread over a two week calendar period, to approve the Work Programme and Budget and to decide on the focus of theme papers to be prepared by the Secretariat for the following year. CHS decides in 1989 to meet on a biennial basis, both as a means to save money and as a means to provide more inter-sessional time for the Secretariat to produce more substantive outputs. Most meetings hosted outside Nairobi.

1991-1999: CHS gradually reduces duration of its sessions to 5 working days. Space for policy dialogue and debate on human settlements issues drastically reduced. All meetings held in Nairobi.

1996: Habitat II Conference: new normative mandate for UNCHS to support and monitor the implementation of the Habitat Agenda adopted at the Conference and approved by the GA. Para 222 of the Habitat Agenda clearly specifies the role of the CHS.

2001: Istanbul+5, Special Session of the GA on implementing the Habitat Agenda recommends, in para 57 of its report entitled Declaration on Cities and Other Human Settlements, the strengthening of UNCHS (Habitat) and of the Commission on Human Settlements. This led to the decision by the regular session of the GA to elevate UNCHS to programme status, transform the CHS into a Governing Council, and to designate the Committee of Permanent Representatives in Nairobi as the formal inter-sessional body of the GC. Other important decisions in GA Resolutions 56/205 and 56/206 include strengthening the normative role of UN-Habitat, designating UN-Habitat as the focal point within the UN system for human settlements, establishing the World Urban Forum to foster dialogue and debate on human settlements issues.

2003: New rules of procedure for GC adopted, a non-voting seat is allocated to local authorities.

2005-2007: Formulation and adoption of the MTSIP. As implementation schedule does not correspond to biennium Work Programme and Budget cycle, reporting is made primarily to CPR and does not appear in an evident manner in reports to other oversight committees and bodies.

3. ROLES, RESPONSIBILITIES AND TERMS OF REFERENCE OF VARIOUS BODIES

1) NEW YORK-BASED

i. GA

The General Assembly is the main deliberative, policymaking and representative organ of the United Nations. Comprising all 192 Members of the United Nations, it provides a forum for multilateral discussion of the full spectrum of international issues covered by the United Nations Charter. The Assembly meets in regular session intensively from September to December each year, and thereafter as required. Its functions are to:

- (a) Consider and make recommendations on the general principles of cooperation for maintaining international peace and security, including disarmament;
- (b) Discuss any question relating to international peace and security and, except where a dispute or situation is currently being discussed by the Security Council, make recommendations on it;
- (c) Discuss, with the same exception, and make recommendations on any questions within the scope of the Charter or affecting the powers and functions of any organ of the United Nations;
- (d) Initiate studies and make recommendations to promote international political cooperation, the development and codification of international law, the realization of human rights and fundamental freedoms, and international collaboration in the economic, social, humanitarian, cultural, educational and health fields;
- (e) Make recommendations for the peaceful settlement of any situation that might impair friendly relations among nations;
- (f) Receive and consider reports from the Security Council and other United Nations organs;
- (g) Consider and approve the United Nations budget and establish the financial assessments of Member States; and
- (h) Elect the non-permanent members of the Security Council and the members of other United Nations councils and organs and, on the recommendation of the Security Council, appoint the Secretary-General.

The Governing Council of UN-Habitat is a subsidiary organ of the General Assembly¹. An annual Secretary General's Report on Follow-up to the Habitat II Conference and the Strengthening of UN-Habitat is submitted to the GA as a follow-up to GA Resolutions 56/205 and 56/206 which elevated UN-Habitat to programme status.

ii. ECOSOC

The Economic and Social Council was established under the United Nations Charter as the principal organ to coordinate economic, social, and related work of the 14 UN specialized agencies, functional commissions and five regional commissions. The Council also receives reports from 11 UN funds and programmes. It is responsible for:

- (a) Promoting higher standards of living, full employment, and economic and social progress;
- (b) Identifying solutions to international economic, social and health problems;
- (c) Facilitating international cultural and educational cooperation; and
- (d) Encouraging universal respect for human rights and fundamental freedoms.

It has the power to make or initiate studies and reports on these issues. It also has the power to assist the preparations and organization of major international conferences in the economic and social and

¹ In General Assembly resolution 56/206, the GA decided to transform the Commission on Human Settlements to the Governing Council of the UN Human Settlements Programme, UN-Habitat. GA resolution 32/162 states the objectives, functions and responsibilities of the Governing Council.

related fields and to facilitate a coordinated follow-up to these conferences. With its broad mandate the Council's purview extends to over 70 per cent of the human and financial resources of the entire UN system.

An annual Secretary General's Report on the Coordinated Implementation of the Habitat Agenda is submitted to ECOSOC which coordinates follow-up to all the major UN Conferences and Summits.

iii. ACABQ

The Advisory Committee on Administrative and Budgetary Questions is a subsidiary organ of the General Assembly. It consists of 16 members appointed by the Assembly in their individual capacity.² The major functions of the Advisory Committee are:

- (a) to examine and report on the budget submitted by the Secretary-General to the GA;
- (b) to advise the GA concerning any administrative and budgetary matters referred to it;
- (c) to examine on behalf of the GA the administrative budgets of the specialized agencies and proposals for financial arrangements with such agencies; and
- (d) to consider and report to the GA on the auditors' reports on the accounts of the United Nations and of the specialized agencies.

In practical terms, the ACABQ prepares system-wide guidelines for the preparation of strategic frameworks. It provides feedback to all agencies and to the CPC regarding issues of compliance of the strategic frameworks with those guidelines.

iv. CPC

The Committee for Programme Coordination is the main subsidiary body of the GA and ECOSOC for planning, programming and coordination. It consists of 34 members elected by the GA for three year terms. Its major functions are:

- (a) To review the strategic framework in the off-budget years, and the programme budget in budget years;
- (b) Recommend an order of priorities among United Nations programmes as defined in the strategic framework;
- (c) Give guidance to the Secretariat on programme design by interpreting legislative intent so as to assist it in translating legislation into programmes;
- (d) Consider and develop evaluation procedures and their use in the improvement of programme design;
- (e) Make recommendations with respect to work programmes proposed by the Secretariat to give effect to the legislative intent of the relevant policy-making organs, taking into account the need to avoid overlapping and duplication.

In practical terms of the CPC ensures system-wide compliance of programme budgets with priorities defined in the strategic framework.

v. Budget Division

The Office of Programme Planning and Budget of the Budget Division, a division of the Department of Management (DM) of the UN Secretariat, prepares instructions for the preparation of the UN Strategic Framework and the biennial UN work programme and budget, including deadlines for their submission. These are forwarded to the organizational units of Secretariat (including UN-Habitat and

² The functions and responsibilities of the Advisory Committee, as well as its composition, are governed by the provisions of Assembly resolutions 14 (I) of 13 February 1946 and 32/103 of 14 December 1977 and rules 155 to 157 of the rules of procedure of the Assembly. The appointees include financial experts.

UNEP) which provide inputs in their respective areas of responsibility and mandate. The consolidated draft Framework and Work Programme Budget are submitted subsequently by the Division as Reports of the Secretary-General to the CPC and ACABQ prior to their respective approval by the GA.

2) NAIROBI-BASED

i. GC

The Governing Council is a subsidiary body of the GA and serves as the intergovernmental decision-making body of UN-Habitat. It reports to the GA through ECOSOC. Its main functions were those of the Commission on Human Settlements (defined by Resolution 32/162 of December 1977) which include: ³

- (a) Setting UN-Habitat's policies by developing and promoting policy objectives, priorities and guidelines regarding existing and planned programmes of work in the field of human settlements;
- (b) Overseeing working relations with partners by following closely the activities of the organisations of the UN system and other international organisations in the field of human settlements and to propose ways and means by which the over-all policy objectives and goals in the field of human settlements within the UN system might best be achieved;
- (c) Approving UN-Habitat's biennial Work Programme and Budget.

GC is composed of 58 members, to be elected by ECOSOC for four-year term on the following basis:

- (a) 16 seats for African States;
- (b) 13 seats for Asian and Pacific States;
- (c) 6 seats for Eastern European States;
- (d) 10 seats for Latin American and Caribbean States; and
- (e) 13 seats for Western European and other States.

Terms of reference of the Bureau of the GC:

The Bureau of the GC consists of a President, three Vice-Presidents and a Rapporteur elected for two years (i.e. until the next session of the GC) from among the members of the GC on a regionally rotational basis. Its main function is to assist the President of the GC in the general conduct of the business of the GC. ⁴

ii. CPR⁵

The Committee of Permanent Representatives serves as the GC's permanent intersessional subsidiary organ and its membership is open to all Permanent Representatives of Member States of the United Nations and State Members of the specialised agencies, which are accredited to UN-Habitat. The main functions of the CPR include:

- (a) Reviewing and monitoring the implementation of the work programme of the Centre, as well as the implementation of decisions of the Commission;
- (b) Reviewing the draft work programme and budget of the Centre during their preparation by the Centre;
- (c) Preparing draft decisions and resolutions for consideration by the Commission (GC);
- (d) Meeting at least four times a year with the participation of the Executive Director of UN-Habitat.

Terms of reference of the Bureau of the CPR:

³ First defined for the CHS by Resolution 32/162 and subsequently updated with Para 222 of the Habitat Agenda (1996) and by Resolution 56/206 of 21 December 2001

⁴ See Rules of procedure of the Governing Council, 2005

⁵ Resolution 18/1 of 16 February 2001 and subsequently approved by the ECOSOC in resolution 2001/48 of 24 October 2001

Resolution 18/1 which established the Terms of Reference of the CPR did not contain specific terms of reference for its Bureau. Since the establishment of the CPR in 2001, the Bureau of the CPR followed standard practice followed by other programmes and funds of the UN system.

Challenges arising from an exceptional work load for the CPR and UN-Habitat related to the kick-start phase of the implementation of the MTSIP (adopted by the GC in 2007), led members of the CPR to seek clarification of its own functions and the functions of its Bureau. A set of Terms of Reference for the Bureau of the CPR was prepared jointly by UN-Habitat and members of the CPR and circulated in the form of a memorandum entitled “Roles and responsibilities of the CPR” dated 27 November 2008. This memorandum proposes that the key functions of the Bureau - consisting of five members representing the five regional groups of the UN and elected on a rotational basis for two years – consist of:

- (a) Jointly plan (with UN-Habitat) the schedule of CPR and working group meetings;
- (b) Consult with CPR members, especially from the geographical area which each (member) represents, on issues to be addressed in cooperation with the UN-Habitat Secretariat;
- (c) Prepare for the smooth and effective functioning of the CPR and working group meetings by e.g. provision of a designated Chair for particular issues and holding pre-Sub-Committee meetings with the Secretariat to identify potentially contentious issues;
- (d) Provide information on up-coming issues of interest to the CPR members and supporting a constructive relationship between CPR and the Secretariat;
- (e) Support the effective information flow to and from the Regional CPR groups.

4. OTHER GOVERNANCE STRUCTURES AND REPORTING OBLIGATIONS

Secretary General's Compact

The Executive Director and the Deputy Executive Director enter into a yearly Compact with the Secretary General of the United Nations. This compact focuses on the commitment of the Executive Director to uphold the core values and principles of the United Nations and to fulfil key outputs and achievements. While these key outputs and achievements include the approved Work Programme, they also commit the ED and the DED to contribute to the attainment of internationally agreed development goals and strategic objectives resulting from Summits, global conferences and other inter-governmental fora.

Commission on Sustainable Development (CSD)

As the agency responsible for monitoring the follow-up to the Agenda 21 chapters pertaining to human settlements and local authorities, UN-Habitat reports regularly to the Commission on Sustainable Development (CSD). It does so by compiling inputs from the UN system which form part of the report of CSD Secretariat to member States.

Millennium Development Goals (MDGs)

Similarly, as the agency responsible for monitoring the attainment of Targets 10 (water and sanitation) and 11 (slums) of the MDGs, UN-Habitat reports regularly to the GA. It does so by compiling inputs from relevant UN bodies and Habitat Partners for inclusion in ad hoc reports.

Trust Funds

There are, generally speaking, two types of Trust Funds in the UN system: general purpose trust funds and special purpose trust funds (often referred to as Technical Cooperation Trust Funds). Non-earmarked, soft ear-marked and work programme specific contributions to UN-Habitat usually go to the UN-Habitat general purpose trust fund which is subject to system-wide accounting and auditing

procedures. Hard ear-marked contributions, such as those tied to a specific thematic area, region or country can be managed under ad hoc technical cooperation trust funds.

UN-Habitat currently has three technical cooperation trust funds (Palestine, Water and Sanitation and ERSO). In practical terms, these three Trust Funds are used to facilitate multi-donor, multi-year funding. They may also involve regular consultations between and reporting by UN-Habitat to multiple stakeholders of a given programme or project.

The establishment of a Trust Fund is subject to approval by New York and carries special provisions such as a 15% reserve.

Auditing

Regarding auditing, there are typically two routine internal audits per year, periodic external audits that are consolidated into a report to the GA every two years, regular evaluations of the work programme through IMDIS, and periodic in-depth programmatic evaluations conducted by OIOS and/or the Department of Management.