



Habitat International Coalition

Proposal for a UN Habitat Stakeholder- engagement Mechanism

Submitted to
UN Habitat Executive Board Ad Hoc Working Groups on Stakeholder-
engagement Policy

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Introduction

This concept paper is intended to be a contribution of Habitat International Coalition (HIC) to the debate around, and development of the new self-organized stakeholder-engagement mechanism (SEM) of the UN Habitat's Executive Board (EB).¹ It seeks to advance the fulfilment of the General Assembly's mandate for UN Habitat to complete its new governance and stakeholder-engagement policy (SEP) with a self-organized SEM aligned with implementation of the New Urban Agenda (NUA).²

Models of stakeholder mechanism self-organization are found elsewhere in the UN System, as in the examples of the Major Groups operating in cooperation with the UN Department of Economic and Social Affairs (UNDESA) within the High-level Political Forum on the 2030 Agenda,³ as well as stakeholder-engagement mechanisms in relation with the Rome-based agencies.⁴ As self-organized mechanisms, these entities are tasked with facilitating the participation and enhancing the engagement of their constituencies in the processes directly and indirectly related to the governing body of a specialized UN agency. To the extent possible, these self-organized mechanisms organize positions on behalf of the members to be delivered in their respective spaces. Because of the diversity of voices and perspectives within each group, they are usually organized internally around self-determined thematic clusters that act as hubs of expertise on the agency's policy issues.

This submission follows a series of consultations on the subject with HIC Members and officers, other stakeholder groups (i.e., civil society organizations, academics, local governments and authorities and their networks), the Partnerships and Local Governments Unit (PaLGU) and the EB Ad Hoc Working Group on Stakeholder Engagement Policy (EBWG), including two sessions dedicated to the subject at each of World Urban Forums 10 (2020)⁵ and 11 (2022).⁶

The objective of HIC's contribution, including this paper, is to be supportive—not prescriptive—in the process. However, HIC does proffer certain principles of SEM operation that it sees as operative necessities, given the specificity of the agency and its diverse stakeholders. These are found in a set of recommendations below.

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Acronyms

AGFE	Action Group on Forced Evictions
AGGI	Advisory Group on Gender Issues
CFS	Committee on World Food Security
CPR	Committee of Permanent Representatives
CSIPM	Civil Society and Indigenous Peoples Mechanism for relations with the Committee on World Food Security
CSM	Civil Society Mechanism
CSO	civil society organization
EB	Executive Board
EBWG	Executive Board Ad Hoc Working Group on Stakeholder-engagement Policy
ECOSOC	Economic and Social Council
FAO	Food and Agriculture organization of the UN
GAP	General Assembly of Partners
GSF	Global Stakeholder Forum
HIC	Habitat International Coalition
HLPF	High-level Political Forum
HLRN	Housing and Land Rights Network
HSAB	Habitat Stakeholder Advisory Board
ILO	International Labor Organisation
IPC	International Planning Committee for Food Sovereignty
LGAM	Local Government and Authorities Mechanism
NGO	non-governmental organization
NUA	New Urban Agenda
OWANS	organization's wants and needs
PaLGU	Partnership and Local Government Unit, UN Habitat
PSM	Private Sector Mechanism
SAGE	Stakeholder Advisory Group Enterprise
SDG	Sustainable Development Goal
SEM	stakeholder-engagement mechanism
SEP	stakeholder engagement policy
SWANS	stakeholders' wants and needs
tni	Transnational Institute
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNGA	United Nations General Assembly
UNHA	UN Habitat Assembly
WUF	World Urban Forum

Background

1. UN Habitat has a long, rich and pioneering history as an innovator in the UN System by the inclusion of a wide range of civil society, local government and other partners and stakeholders in both its activities, program formulation and implementation spanning over four decades.⁷ In that course also, other models of progressive engagement with specialized implementation and policy bodies have emerged within the United Nations (UN) system. Developing the mechanisms and functions of any new UN Habitat governance structure, its decision makers face a challenge to recognize and reflect the work and outcomes of that stakeholder-engagement history in and around UN-Habitat, as well as the progressive stakeholder-engagement trends across the wider UN System. Together, these examples inform the development of meaningful stakeholder engagement in implementing the NUA aligned with the Sustainable Development Goals (SDGs).⁸
2. Given its rapid growth from 2009 onward, UN Habitat has attempted to structure and organize growing networks, in order to maximize their potential as partners in program and project implementation. UN Habitat now can boast more than 6,000 local, national, and international partners with which it engages in various ways. However, the current challenge involves the meaningful participation of stakeholders in policy matters as well.
3. Such participation exists when stakeholders are able to negotiate with decision makers and have real influence on planning, policies and program. Meaningful participation is a form of engagement distinct from “tokenism” and “nonparticipation.” Considering the various levels of engagement, experiences has shown that the higher the level, the more equitable it is and, thereby, operationalize the principle of the greater the participation, the greater dignity for all parties.⁹
4. By adopting the NUA, the UN General Assembly (UNGA) has resolved that UN Habitat revise its governance and stakeholder-engagement structures for evidence-based and practical guidance toward implementing the NUA and the related dimensions of the 2030 Agenda for Sustainable Development¹⁰ in close consultation with Member States, local authorities, key stakeholders and experts.¹¹
5. Within the context of the first UN Habitat Assembly (UNHA) in 2019, HIC joined volunteers from nine stakeholder organizations, forming an Institutional Mechanism Working Group that collectively promised to submit a SEM proposal for consideration at the upcoming World Urban Forum (WUF) in February 2020. That resulted in HIC’s review of stakeholder engagement across the UN System and a proposal for consideration in the form of a full report¹² and executive summary in four UN languages (Arabic, English, French and Spanish)¹³ at WUF 10, and submitted those in digital form to UN-Habitat’s PaLGU and its EBWG. More recently, a HIC delegation consulted with the EBWG chair at Nairobi in May 2022, and with the full Working Group and other members of the Committee of Permanent Representatives in an online meeting on 15 June 2022. HIC also organized a networking event at WUF11 in June 2022, hosting presentations by PaLGU, the Stakeholder Advisory Group Enterprise (SAGE) and HIC’s Housing and Land Rights Network (HLRN), and generating relevant discussion and proposals incorporated here.
6. These consultations, in addition to the EBWG’s “Proposed structure for UN-Habitat Stakeholder Engagement Policy” and PaLGU’s “Background paper on Modalities for stakeholder engagement in intergovernmental processes UN system practices for selected agencies, funds and programmes,” as

well as HIC's own documented stakeholder-engagement experience and analysis across the UN System,¹⁴ have informed the contents and proposals presented here.

7. The creation of a self-organized, open, inclusive, participatory and democratic participation mechanism for policy advice to UN Habitat requires much more input and committed effort from future participants, including all stakeholders, UN Habitat and Member States. Pending a political decision of the EB and/or UNHA, the stakeholders bear the additional responsibility of self-organization and maintenance of their respective parts of the SEM. Assuming that challenge, HIC draws on other experiences across the UN System to envision the SEM's possible structure and function, but remains open to other proposals, including new stakeholders participants interested in providing support, ideas, suggestions and feedback in this collective effort.

Perspectives and understandings

8. Stakeholder engagement is typically understood as the process by which an organization involves those who may be affected by the decisions it makes or can influence the implementation of its decisions. The term 'engagement' of stakeholders is often used without attention to the need to tackle the asymmetry of power that often prevails between organized civil society and decision-making authorities and processes.¹⁵ Engagement encompasses a wide range of policies, practices, behaviors, cultures, and their associated institutions. In its broadest sense, stakeholder engagement may also span certain negative practices. Therefore, more precision is needed to inform our vision.
9. "Stakeholder engagement" is a generic term, while the EB's June 2022 "Proposed structure" document explicit calls for "participation," which is a particular level of engagement, encompassing partnership, delegation, social learning and democratic control.¹⁶
10. Stakeholder engagement also implies a willingness to listen and to discuss issues of concern and interest to participating stakeholders and, crucially, the convening organization has to be prepared to consider changing what it aims to achieve and how it operates as a result of stakeholder engagement.¹⁷ Such processes hold the potential of creating synergies that combine perspectives to produce a plan and outcomes greater than its original parts.
11. Stakeholder engagement is also distinct from stakeholder management. While the leadership of an organization is still needed to set the direction for its development, it should do so in the knowledge of stakeholders' wants and needs (SWANS), as well as the organization's wants and needs (OWANS). Successful management, thus, becomes the art of optimizing long-term benefits based on reconciling sometimes-disparate stakeholders' wants and needs.¹⁸
12. In its own interests and in the interest of democratic governance, civil society does not seek stakeholder engagement with any agency in any vague sense of the term, or as an end in itself. Rather, it seeks interaction and negotiation through transparent and well-functioning structures (e.g., joint policy boards, advisory councils, working groups, and planning committees, etc.).
13. While these principles and lessons from experience apply to any relationship between a public institution and its stakeholders, HIC understands that the SEM being considered now is a UN-Habitat policy-relevant structure, dealing with policy issues and formulation processes. It is not intended either to assume country-level activities, nor is it to concern itself with programs and projects.

14. This distinction calls for some further clarity on UN Habitat's part, including a decision as to how to rationalize the existing advisory structures such as Advisory Group on Gender Issues (AGGI), the Local and Regional Governments Forum, the UN-Habitat Youth Advisory Board and the (long defunct, but still cited) Action Group on Forced Evictions (AGFE). If these entities are to continue, their role and function would have to be rationalized as to their prescribed roles in light of the new policy-oriented SEM. While some of these standing structures have considered UN Habitat policy issues in the past, none has played a formal role in advising or negotiating with the UN Habitat governance structures on policy. UN Habitat may wish to retain these with an explicit remit to advise and/or participate in program and project activities, apart from the SEM. Of course, these structures and the SEM on governance and policy may involve some of the same actors but serving in these differentiated roles.
15. The Stakeholder Advisory Group Enterprise (SAGE) also poses an option for engagement with UN-Habitat. On the subject of SAGE's role as a stakeholder mechanism, the participants in the HIC-HLRN-organized networking event at WUF11 produced three observations about SAGE in this transitional context:
- SAGE is self-perceived to be an interim placeholder, awaiting the establishment of the SEM;¹⁹
 - It has been unseen and noncommunicative vis-à-vis stakeholders since its establishment;
 - Its hand-picked composition renders it among the least-legitimate stakeholder engagement models in the UN System.
16. While it has been established that SAGE has had a remit to advise the Executive Director on the subject of stakeholder engagement, it has not exceeded that mandate by addressing other policy matters. As with other stakeholder structures—e.g., the Action Group on Forced Eviction—UN Habitat has been ambivalent as to its representativity, explain, on the one hand, that the select members of the group served in their individual capacities, while, on the other hand, appointing them as representatives of their affiliated constituent groups. Whatever SAGE has accomplished in the way of intended advice to the UN Habitat Executive Director, it does not stand as a SEM model. However, its individual members, prominent in their respective stakeholder groups, and may serve in some capacity in the eventual SEM.
17. Another more-general collective falls into the category of UN Habitat stakeholder engagement: the General Assembly of Partners (GAP). That structure was initiated by the office of the UN Habitat Executive Director for the limited purposes of organizing and coordinating the inputs of the Habitat Agenda Partners (and certain additional groups) in the Habitat III process. While much can be learnt from the GAP experience, that model is not appropriate as the SEM, because:
- GAP was a project of UN Habitat that expired on 31 December 2016;
 - Its Executive Committee explicitly decided that GAP would be a facilitation mechanism and would play no role, nor make any substantive intervention on matters of policy and, despite its diversity, GAP was limited to present only "consensus positions" to Habitat III;²⁰
 - Given its temporal nature, its internal governance was expedient, rather than democratic;
 - After Habitat III, GAP's principals registered it as a separate nongovernmental organization in the State of New York under a personally owned trademark, despite ethical provisions to the contrary.²¹
18. Moreover, since GAP did not qualify as a SEM within the UN System of specialized organizations governed by an EB, it did not figure in any System-wide review to date.²² Nonetheless, as in the case

of SAGE, some of the same actors may be involved in the new SEM, but serving in differentiated roles.

19. Through this process of distinction and elimination, it is assumed that the SEM would not adopt or replicate any previous fixtures, and new thinking is required.

20. Note: References to Governing Body meetings and procedures apply equally to the EB, as well as the quadrennial UN Habitat Assembly.

Hazards and dilemmas

21. Multistakeholderism can be a double-edged sword when carried out in a homogenized setting in which all interests are combined to achieve consensus.²³ As currently practiced in many global forums, it has evolved to marginalize plural and publicly interested organizations, allowing for private interests to dominate and carry out corporate capture of the policy space, especially of UN forums. This hazard is increasing and has created considerable tension between civil society organizations (CSOs) and the UN. Notably, this development has been a prominent subject in the IN Food Systems Summit,²⁴ the Stockholm+50 Conference Leadership Dialogues²⁵ and Major Groups session of the High-Level Political Forum 2022.²⁶

22. The EBWG' "Proposed structure" paper sets out guiding principles. Among them is "local and national ownership." This may pose a hazard that calls for need clarification, owing to the received advice that Member States do not favor a scenario in which the SEM were to develop country-level structures within UN-Habitat's purview. However, any regional and/or local expressions of the SEM probably would have to adhere to uniformly democratic operational procedures and principles and criteria of geographical balance, as has been the experience of the International Planning Committee for Food Sovereignty (IPC) and the Civil Society and Indigenous Peoples Mechanism for relations with the Committee on World Food Security (CSIPM).

Organizing principles

23. To avoid the typical corporate-capture dynamic and the homogenization of stakeholder messages, a SEM should allow for stakeholder groups to develop their advice and proposals with internal integrity and accountability to their constituents. The model proposed here below obviated that risk and allows for stakeholder groups to organize separately, but with regular cross-constituency consultation also to facilitate possible compromise and joint positions before addressing the EB.

24. Therefore, while consolidating constituent inputs to UN-Habitat and governing bodies, the new mechanism proposed here could be differentiated along the lines of constituent roles and interests (private, plural, and public²⁷) related to UN-Habitat functions, not be just one homogenous forum.

25. From the stakeholder perspective, civil society does not share some States' authoritarian apprehension about accreditation. Such matters would not affect the operation of the self-organized SEM, as each stakeholder group would likely set its own participation criteria. In the case of participation in meetings of the EB/UNHA, standard ECOSOC and UN-Habitat criteria for access to meetings, submission of documents and other matters of access. However, in the case of civil society's part of the mechanism would predictably distinguish eligible participants from those serving in government and the private sector.

26. Notably, the EBWG’s “Proposed structure” document promotes the guiding principle: “Equality and non-discrimination, leaving no one behind.” While this is laudable and should be operational, especially in each part or sub-group of an SEM, each SEM sub-group should be encouraged to apply an open-door principle independent and in advance of any governing body decisions on accreditation.

27. It is noted that, by UN Habitat and states narrowing of the Habitat Agendas into an “urban agenda,” some Major Groups have been alienated. In Habitat III, Indigenous Peoples and Small Farmer Major Groups remained alienated from the process and had only a token presence in the end. In order to be operational, the NUA scope had to be explicitly restored to include “the urban-rural nexus,” as was firmly established already in the Habitat Agenda.²⁸ The SEM management by all constituent groups should remain mindful of that hazard and seek to remedy it.

28. Policy-level participation means, in the first line, jointly upholding and advancing the principles of the Habitat Agenda and NUA, and to the progressive evolution of multistakeholder partnerships toward their implementation, monitoring and evaluation.

Adapting to UN Habitat specificity

29. As learned by cooperation with other UN agencies, the deliberative and advisory processes would not only lead to a higher quality of policy documents and outcomes, but a more-inclusive process could engender the commitment and support from those same stakeholders, including through new joint initiatives to implement them at the program and project levels, enhancing the agency’s impacts and the probability of success.

30. Given the broad and ambitious mandate for the comparatively small agency, UN Habitat’s implementation of the NUA depends upon an especially diverse group of specialized stakeholders, including CSOs, social movements, professionals, academics, private sector actors and local and regional spheres of government.

31. Therefore, it is proposed here that the SEM reflect that diversity and allow for the internal integrity and unique contributions of at least three distinct sub-groups and their respective structures. This would allow for fit-for-purpose inputs, while addressing the hazards of homogenization and corporate capture found in other multilateral structures.

Proposal

32. The present proposal for a new fit-for-purpose institutional mechanism for UN Habitat stakeholder engagement is informed by the history of UN Habitat stakeholder engagement,²⁹ the HIC-HLRN review of stakeholder engagement across the UN System,³⁰ the PaLGU “Modalities” paper,³¹ and further consultations with UN Habitat stakeholders, as well as HIC experience, a good-practice model can be found in the CSIPM and IPC.

33. As noted in the Introduction above, such self-organized mechanisms are entities tasked with facilitating the participation and enhancing the engagement of their constituencies in the processes directly and indirectly related to the governing body of a specialized UN agency. To the extent possible, these self-organized mechanisms organize positions on behalf of the members to be

delivered in their respective spaces. Because of the diversity of voices and perspectives within each group, they are usually organized internally around self-determined thematic clusters that act as hubs of expertise on the agency's policy issues.

34. This proposal envisions the establishment of a "Habitat Stakeholder Advisory Board" (HSAB), for want of a distinguishing title, or EB+, as the UN Habitat stakeholder structure. Such a structure would coordinate positions on behalf of the members to be delivered in Governing Body sessions.

A. Composition and modalities of participation

35. The HSAB is not envisioned as a body that replaces, or competes with the EB or its members' unique voting rights. Rather it would convene the stakeholder mechanism representatives with the EB, with the outcome of that dialogue reflected in the decisions of the EB, as well as in the quadrennial Assembly, and engendering continuous UN Habitat cooperation with stakeholders at all levels in NUA implementation.

36. Meeting with the EB would imply that the SEM would convene at least twice a year, along with the regular EB sessions. However, the frequency and other modalities may be subjects of some detail in the follow-up to current proposals. For instance, stakeholders may prefer to limit their frequency and scope of engagement on matters of finance and compliance, which they may find to be beyond their advisory capacity or responsibility. Also, SEM representatives likely would be called upon to deliberate with EB working groups of other sub-organs. However, this proposal does not propose to limit the demands of the SEM, but rather potentially to assume stakeholders' interest, capacity and duties to participate on all items across the EB and UNHA agendas.

37. In the future, Governing Body sessions may have to limit the number of HSAB participants who are able to speak. Allocating HSAB member seats in the EB and UNHA plenary sessions may need to be negotiated. However, the HSAB and Bureau will endeavor to distribute seats and speaking opportunities judiciously among the constituencies and the sub-regions.

38. Within its broad sub-structure categories, HSAB's three component sub-structures would coincide occasionally in joint actions, forums and initiatives, as appropriate, and all would form equal parts of the HSAB for purposes of deliberation. This would coincide with the EBWG proposal of a periodic stakeholder forum in conjunction with the quadrennial UN Habitat Assembly. However, this proposal suggests that such a forum would have to take place variously in the interim, including in a formal gathering in conjunction with quadrennial UNHA meetings.

39. The EB is—and will remain—an intergovernmental governing structure. When convened in its regular meetings, it would remain composed of members, participants and observers and would seek to achieve both inclusiveness and effectiveness. A designated number of HSAB representatives³² would meet with the right to speak in each EB meeting, but without voting rights. Its composition would ensure that the voices of all relevant stakeholders be heard, particularly of those most affected by the housing crisis and violations of the human right to adequate housing. The EB would further take into account the fact that the overall EB and UNHA functions include not only an annual global meeting, but also a series of intersessional activities, including commissions and working groups in which HSAB would also be represented with similar rights and responsibilities.

40. Member States are encouraged to participate in EB sessions at the highest level possible (ministerial or cabinet level is desirable), insofar as possible representing a common, interministerial governmental position. In those countries that maintain a multistakeholder, interministerial national body or mechanism concerned with housing, spatial planning and physical development, Member States are encouraged to include those representatives in their delegations to the Committee.

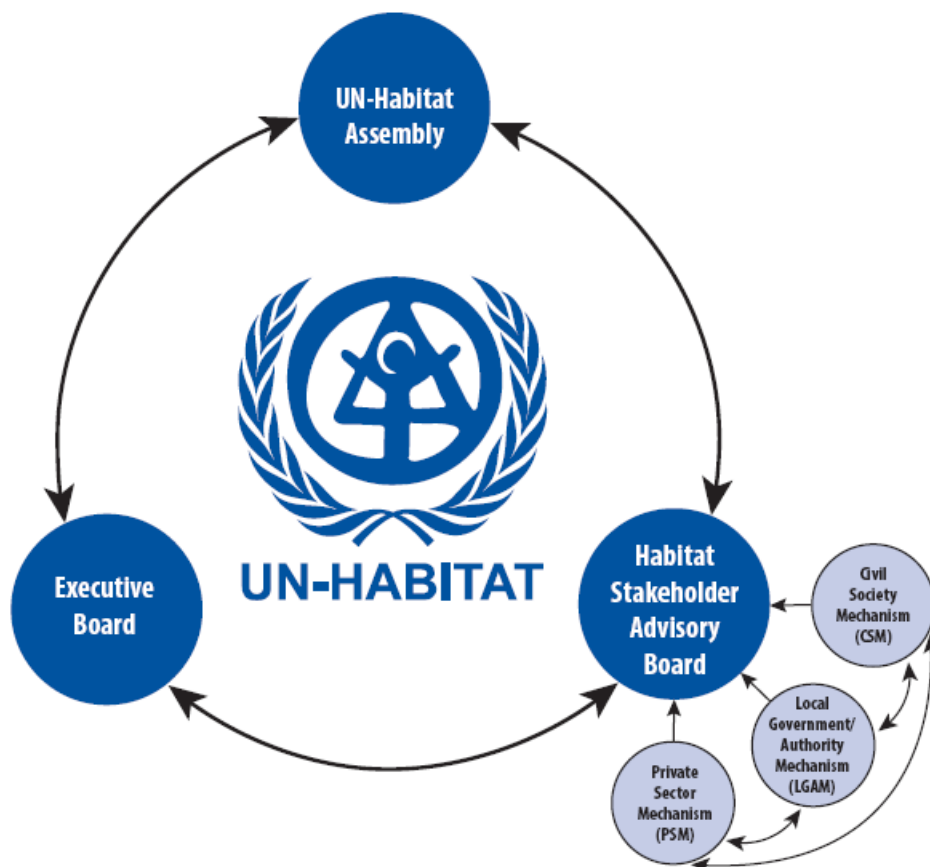


Figure 1: Graphic of the proposed HSAB, as presented at WUF10 (February 2020). Source: HIC-HLRN.

41. All members, participants, and invited observers,³³ including HSAB representatives, take part fully in the work of the EB with the right to intervene in plenary and breakout discussions, approve meeting documents and agendas, submit and present documents and formal proposals, and interact with the EB during the inter-sessional period. Voting and decision taking is the exclusive prerogative of member states, including drafting the final report of EB plenary sessions.

42. The HSAB shall organize itself into compatible sub-structures open to participants from the following categories of organizations and entities:

- **Social movements, civil society and non-governmental organizations** and their networks with strong relevance to issues of housing, land, basic services, spatial planning and physical development, with particular attention to organizations representing social groups of the urban underhoused and tenure insecure, rural underhoused and tenure insecure, landless, homeless, workers, women, youth, Indigenous Peoples, research and academia, social movements, professionals, grassroots

communities, and international NGOs whose mandates and activities are concentrated in the areas of concern to the EB. This group will aim to achieve gender and geographic balance in its representation and composition.

- **Representatives of local and regional authorities and local and regional governments**, as well as their networks and collectives. This sub-group will aim to achieve gender and geographic balance in its representation and composition.
- **Representatives of private sector associations**³⁴ and private philanthropic foundations active in the areas of concern to the EB. This sub-group will aim to achieve gender and geographic balance in its representation and composition.

B. Internal structure and organization

43. The HSAB refers to the composite of stakeholder constituency voices and expertise. However, internally, the HSAB, would contain at least three distinct-but-complementary self-organizing sub-structures of (1) a Civil Society Mechanism (CSM), (2) a Local Governments and Authorities (LGAM) coordinating participation of local and regional spheres of government and (3) a Private Sector Mechanism (PSM), composed of business and independent philanthropy stakeholders. Each sub-structure would be responsible for its own management, including partial responsibility for resource mobilization and management.

44. Each member of the three respective constituent groups would join by its individual initiative with a written statement of its expertise and intended contributions to the constituent group's relations with the Governing Body sessions and policy deliberations. Once each sub-group has adopted its internal governance document, each joining organization's membership and participation would be restricted only by acceptance of the body's agreed-upon and stated values, objectives and internal procedures, and would require an express commitment to the principles and purposes of the UN Charter, as well as the principles and commitments of the NUA, as State Member counterparts have done.

45. It is proposed that each stakeholder sub-group rationalize its various clusters of expertise, social groups and/or functional distinctions as they see fit. However, certain precedents across the UN System offer some suggestions of what those subdivisions might look like. For example, the CSM may follow a model of internal structure organized by sub-groups, each with its own messages and representation to the mechanism's plenary. These could include:

- Research and academia
- Civil society organizations
- Grassroots groups/organizations
- Women
- Children and youth
- Professionals (nongovernmental planners, surveyors, public-interest legal practitioners, etc.)
- Trade unions and workers
- Farmers
- Cooperatives
- Indigenous People
- Media
- Persons with disability
- Older Persons
- Persons with Disabilities
- Sexual minoritie

46. Likewise, the PSM might include sub-groups of privately interested companies and organizations such as:

Business and industry
Women entrepreneurs

Foundations and philanthropy

Private utilities (private sector and privatized water, sanitation, transport, energy or other service providers)

Professionals (private-sector planners, surveyors, legal practitioners, etc.)

47. The LGAM might find it useful to divide efforts by scope or other self-organized criteria, including the formation of temporary or task-specific working groups such as:

- Local and sub-national authorities (among them, rural, intermediate cities, megalopolis cities)
- Public service providers (representing technocratic specializations)
- Women in local government
- Parliamentarians

48. These examples of the autonomous constituent sub-groups within the HSAB are illustrative only. To the furthest extent possible, representatives should choose to join only one constituency group whose interests to represent. Although certain actors may operate across sectors and interest groups, the HSAB should avoid the problem already experienced in the Habitat III-era GAP, whereby some members played dual roles and personified conflicts of interest (e.g., advocating government positions, while speaking on behalf of research and academia representatives, or other civil constituents).

49. In any event, the HSAB would maintain a regular procedure of consultation across the three main stakeholder groups. Such meetings would also be self-organized with the purpose of drawing out respective expertise on policy issues and seeking consensus. If consensus were not possible, various constituent groups would present their distinct positions before the EB.

50. In such a scenario, the EB could entertain a session featuring a HSAB panel, whereupon each sub-group would have equal opportunity to present its respective position on a particular policy issue.

1. Global Stakeholder Forum

51. Under “Engagement of UN Habitat,” the EBWG “Structure” paper calls for the organization of a global stakeholder forum “in conjunction with” UN-Habitat Assembly. A question arises as to whether this is intended to be parallel to, or otherwise separate from the EB/UNHA. If so, this may be the very formal occasion for the function of coordinating and consolidating messages, information, and positions among HSAB sub-groups. However, it is suggested that this only augment—and not supplant—the regular HSAB meetings with the governing bodies.

52. The Global Stakeholder Forum (GSF), as referred to in the EBWG “structure: document, is the biannual general meeting wherein all HSAB constituent sub-groups and general memberships update work plans and agree on the political lines developed around housing and spatial development. During the GSFs, the actions and achievements of the various stakeholder sub-groups and their respective working groups are evaluated. Each autonomous group would have the same number of votes in the GSF, all international and regional organizations and representatives of all regional processes participate; invited participate only as observers.

2. Gender balance

53. The HSAB sub-groups and/or GSF should establish gender-balance criteria for organizing sub-groups and/or representation of a particular sub-group (CM, LGAM, PSM) of the HSAB, or for participation in the biannual GSF. These criteria would be agreed upon at the GSF.

3. Regional balance

54. The HSAB sub-groups and/or GSF may establish regional-balance criteria for organizing sub-groups and/or representation of a particular sub-group (CM, LGAM, PSM) of the HSAB, or for participation in the biannual GSF. These criteria would be agreed upon at the GSF. Regional organizations and all regional formations (branches) of the international organizations organize the process by setting up a coordination structure of all the organizations at the regional level. The regional processes define the regional priorities and facilitate the full participation of the regional organizations.

4. Working groups

55. The GSF and autonomous HSAB sub-groups (CSM, LGAM and PSM) may create temporary or standing working groups endorsed by their respective assemblies. They have the legitimacy to operate with the full support of all the constituent organizations on a specific priority theme. Working groups are open and flexible structures, formed on an ad hoc basis and with an open working methodology. The working groups must be led by at least two different constituent organizations, and all the HSAB organizations are invited to actively participate) and should encourage the participation of youth and women. The working groups report to their respective sub-groups or GSF, as appropriate.

5. HSAB Secretariat

56. Various scenarios are possible for the HSAB Secretariat. It could be linked to the Governing Bodies Secretariat, or PaLGU, or, depending on the wishes of the HSAB members and available resources, a secretariat could function separately for the HSAB as a whole, or even for each HSAB sub-groups (CM, LGAM, and PSM). The main Secretariat function is to communicate with the constituents on a regular basis directly through email and online meeting software, as well as through website posts, informing the representatives on the Governing Body agendas and work plans, as well as matters internal to HSAB and its organs.

57. The Secretariat will report to the HSAB Plenary. Its role will be administrative, facilitating the functioning of the HSAB by performing financial, logistical and communication tasks. It will be politically neutral and will not perform advocacy and lobbying roles.

58. The HSAB Secretariat will establish a member database and website. It will strive to post all relevant information on the website in Arabic, English, French and Spanish. Any interested CSO will be able to sign up to receive the emails by registering its email address on the website.

59. The HSAB and its Secretariat(s) will be accountable to constituents worldwide working on housing and urban development, on the one hand, and the UN Habitat Governing Bodies, on the other. With the support of constituents, the HSAB Secretariat will issue an annual report detailing HSAB activities over the previous year. These tools will be the main devices to facilitate and encourage accountability.

60. The mechanisms of accountability, detailed below, will be reviewed at least every three years and any necessary changes will be made by the HSAB plenary, to which the Secretariat is accountable.

61. It is preferable that the secretariat functions operate either within UN Habitat, or elsewhere in Nairobi, in order to ensure regular coordination with the Governing Bodies Secretariat and PaLGU. The Secretariat should be equipped with the ability to receive and manage funds, whether through UN Habitat, or as a separately established entity, rather than be housed within a particular HSAB members organization. That would be a measure to avoid conflicts of interest and partiality.

C. Operating within the Rules of Procedure

62. Consistent with its Rules of Procedure 66–70, the EB may invite other interested organizations relevant to its work to observe entire sessions or on specific agenda items. Such organizations or bodies may also apply to UN Habitat/the EB for observer status to participate regularly, periodically, or exceptionally on specific issues, subject to the decision of the EB.

63. Mechanisms for enhancing the effectiveness of EB plenary discussions will be explored such as holding preparatory consultations of regional groups and of stakeholder constituencies (e.g., civil society, private sector, local authorities and governments) to define positions and nominate spokespersons.

64. Plenary sessions of the EB should be organized in a way that are manageable and produce concrete outcomes. The EB will determine the allocation of seats for participants and observers in consultation with the HSAB. The quota assigned to stakeholders will be such as to ensure their visible and effective participation, equitable geographic representation, with particular attention to the categories of organizations detailed in paragraph 40 above.

D. Activities

65. The EB will invite related organizations of civil society, private sector and local governments and authorities related to housing and urban development and their networks (as provided in Rules 66–70 and described in para. 41 above) to autonomously establish a global mechanism to advise the EB on policy related to housing, land, spatial planning and physical development. It will function as both a facilitating and a substantive advisory body for consultation and participation in the EB. This mechanism will also serve inter-sessional global, regional and national actions in which organizations of those sectors of the population most affected by deprivation of their human rights to adequate housing, land and physical development.

66. The new HSAB activities are not limited to biannual meetings with the EB, or its plenary Global Stakeholder Forum. Rather, it is intended to implement an ongoing work program implemented jointly by the Secretariat(s) with input from its members. The work program will prepare the HSAB Plenary and sub-group meetings and implement their conclusions and decisions. It will be coherent with the policy matters of the EB, including the collection of lessons learnt. It may develop policy guidance and a strategic framework, facilitating international support for UN Habitat policies.

67. All participants in the process will be invited to contribute to various inter-sessional activities, as appropriate. The HSAB and its Secretariat(s) are expected to facilitate and, where necessary, coordinate these processes. As the new UN Habitat governance evolves, HSAB will need to develop ways of supporting stakeholders in year-round activities and building links among them. Activities

may include, lobbying and advocacy, shared learning, promotion of specific working groups, capacity building, and monitoring and preparation of specific proposals to be discussed by the Governing Body sessions.

68. Before these activities roll out, the HSAB constituents will collaborate within six months following an authorizing political decision of the EB, key organizations representing each of (1) civil society, (2) local and regional authorities and governments, and (3) private sector and private philanthropy to submit to the EB a proposal regarding how they intend to organize their participation in the EB in a way that ensures broad and balanced participation by regions, gender and types of organizations, keeping in mind the principles approved by the EB at its previous sessions.

69. The activities of the mechanism will include:

- Broad and regular exchange of information, analysis and experience;
- Developing common positions as appropriate;
- Communicating to the EB and its respective commissions and working groups, as appropriate through representatives designated by an internal self-selection process within each constituent sub-category;
- Convening a HSAB constituency forum as a preparatory event before EB sessions;
- Monitoring and evaluation.

Implications for EB processes and structure

A. Overall process and structure

70. Bearing in mind that EB will include at least two plenary sessions each year, as well as intersessional activities at different levels, the process of defining strategies and actions to be adopted by all members should be transparent and take into consideration the obligations of States under the UN Charter and other binding instruments, commitments under the NUA and the 2030 Agenda. Within this normative framework, the EB will entertain the views of all participants and stakeholders to the fullest extent possible, in order to foster ownership and full participation during implementation of these strategies and actions.

71. The EB sessions will convene:

- The plenary of the EB;
- The EB Bureau and its sitting commissions and working groups;
- The HSAB's self-designated representatives;
- UN Habitat Executive Director and key staff;
- Invited observers, if any;
- The Secretariat serving the EB.

B. The EB Plenary

72. The EB plenary is the central body for decision making, debate, coordination, lesson learning and convergence by all stakeholders at global level on issues pertaining to housing, spatial planning and physical development and on the implementation of the NUA. It should focus on relevant and specific issues related to housing and urban development, in order to provide guidance and

actionable recommendations to assist all stakeholders in fulfilling the obligations and commitments cited above in para. 47 above.

73.Regular EB plenary sessions shall be held at least twice annually. Extraordinary sessions may be requested by its State Members and approved by the Bureau after consultation with the HSAB. The results of the EB Plenary shall be reported to the UN Habitat Committee of Permanent Representatives (CPR) and to the UN General Assembly (UNGA) through ECOSOC.

74.Depending on the terms of any relationship agreement, the Chair of the EB may also consult with ECOSOC and take all necessary actions so that modalities for meaningful reporting and consultation be established and implemented.³⁵ EB participants, including HSAB representatives, are encouraged to consider in their respective bodies the EB meeting outcomes, including outcomes of its consultations with ECOSOC, that are relevant to their own activities.

C. Linkages with regional and country spheres

75.Although the HSAB does not maintain regional, subregional or country mechanisms as part of this proposal, it is nonetheless crucial that the work of the EB be evidence informed and based in realities on the ground. It will be fundamental for the EB, through HSAB, to nurture and maintain linkages with constituent actors in regional, sub-regional and local spheres to ensure ongoing, reciprocal exchange of information among these stakeholders during intersessional periods. This will ensure that, at its regular sessions, the EB plenary is made aware of latest developments on the ground, and that, conversely, results of the deliberations of the Plenary are widely disseminated among constituents in global, regional, sub-regional and country spheres.

D. EB Secretariat

76.The EB Secretariat, operating as the Governing Bodies Secretariat, should be a small, permanent office located in UN Habitat Nairobi. Its task will be to assist the Plenary, the Bureau and HSAB in their work.

77.That Secretariat would be headed by a secretary and staff from UN Habitat. Further arrangements regarding the Secretariat, including whether to establish one or more separate secretariats for the HSAB, should be decided by the EB Plenary/UNHA in 2023.

78.The present EB Secretariat will continue to perform its functions until final decisions of the EB Plenary/UNHA are adopted and implemented.

Expectations of UN Habitat

79.The UN Habitat's call for a self-organized SEM puts the onus on stakeholders to take the initiative to establish the mechanisms and collectively determine the modalities of organizing policy-level engagement with the UN Habitat Governing Bodies (EB and UNHA). This unprecedented opportunity and challenge nonetheless call for clarity about what would be expected from UN Habitat as the relevant specialized agency. These expectations can be summarized as follows:

- **Office and meeting space:** In the optimum scenario that the HSAB Secretariat be housed UN Habitat, permanent space would be needed within UNON to ensure proximity to partners within the agency, especially PaLGU and the Governing Bodies Secretariat. That would be consistent with

the practice of the IPC and CSIPM at FAO in Rome. In addition, meeting space would be required also for related group meetings, including the general meeting of HSAB members convened biannually as the GSF.

- **Access to UN Habitat:** The small team staffing the HSAB Secretariat at UNON would need the authorization to enter the premises.
- **Funding assistance:** As discussed below, several options are envisioned for resourcing the HSAB operation. One of these would involve seeking donor contributions in addition to the current UN Habitat budget. This may entail cooperation of the relevant UN Habitat offices to coordinate fundraising efforts within UN Habitat direct appeals, or enabling the Secretariat team—with support of HSAB members—to submit proposals under the auspices of UN Habitat.
- **Information and documentation:** HSAB would need regular access to information, including policy and related documents, in order to share them with stakeholders. Documentation services would also include printing, circulation and webmounting of HSAB and member-produced written statements on thematic and policy matters consistent with ECOSOC resolution 1996/31.³⁶

Costs and funding

80. The cost of reformed UN-Habitat governance will be influenced by the nature and extent of functions and activities ascribed to it, particularly to its EB and Secretariat. Funding implications include considerations such as whether the costs of the new SEM would be borne by UN Habitat, and to what extent. A preliminary budget and modalities of funding for the next biennium, including the use of voluntary contributions and trust funds for the HSAB, will be prepared by the EB Secretariat with input from the prospective stakeholder groupings. This will be presented to the November 2023 EB Plenary session for consideration by Members with a view to gain approval by the EB Plenary. Resource-mobilization strategies to cover the costs of participation by NGOs/CSOs from developing countries will also need to be prioritized.

81. Financial resources must be made available and provided by participating governments, independent philanthropy and where possible, well-resourced NGOs. The EBWG “Proposed structure” document calls for “Secretariat to mobilise funding.” Which secretariat is meant in this reference? Would this role be expected of the UN-Habitat in-house PaLGU, the EB Secretariat, or a secretariat for the HSAB as a whole? Based on the models of other UN agencies, this may be a shared responsibility. In any case, fundraising for the HSAB as a whole, including in resource distribution, should facilitate democratic balance among potential sub-groups. (See *D. EB Secretariat* above.)

82. Within the process of developing the HSAB internal procedures, the constituent organizations will develop a budget for the first two years of operation. Resource requirements will include:

1. Travel costs for participants, prioritizing participants from developing countries;
2. Occupancy and meeting space;
3. Office equipment
4. Communication costs;
5. Website and database development and maintenance;
6. Secretariat staff;
7. Translation; and
8. Office expenses.

Next steps

83. This paper and other proposals from stakeholders should be mounted on the UN Habitat Stakeholder Engagement website, disseminated and debated among UN Habitat stakeholders and other interested parties for comment before the EB convenes on 21 to 23 November 2022.

84. PaLGU should circulate a proposed questionnaire to stakeholders to survey their positions and suggestions for the SEM. The findings should be shared with stakeholders and the EBWG in advance of the EB's November 2022 meeting.

85. In advance of the forthcoming EB meeting, representatives of stakeholder groupings should meet and otherwise deliberate on the subject of engagement (i.e., at a level of *stakeholder participation*³⁷) in the new governance structure of UN Habitat should meet and discuss the proposals emerging from this and other sources. Representatives of UN Habitat, the EB and Committee of Permanent Representatives (CPR) should be welcome to join such meetings as part of a consultation process, respecting the principle of stakeholder self-organization as pledged by UN Habitat leadership.³⁸

86. This consultation would be followed by each of the three main stakeholder sub-groups drafting its internal rules of procedure for submission and approval by the EB in November 2023.

Steps toward UN Habitat SEM	2022				2023										
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Proposal to EBWG, PaLGU	7														
EBWG meets, reviews proposals	21														
EBWG/UN Habitat mgmt. confer															
EBWG recommends to EB															
EBWG confers with UN-Habitat mgmt.			17-												
EBWG considers SEM. accreditation															
All prepare presentation for UNHA															
2 nd UNHA decides										5-9					
Stakeholders develop procedures															
Stakeholders submit procedures to EB															
Set-up, staffing, fundraising															→

Figure 2: Timeframe for establishing the HSAB. Source: HIC-HLRN.

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Endnotes

- ¹ “Self-organized,” as described by Executive Director Maimunah Muhd Sharif and Deputy Executive Director Victor Kisob in their respective addresses to the First Global Stakeholders Forum, Gigiri, Nairobi, 25 May 2019.
- ² New Urban Agenda (NUA), A/RES/71/256, 17 January 2017, at: <https://undocs.org/en/A/RES/71/256>.
- ³ See, for example, the NGO Major Group, <https://www.ngomg.org/about-us>.
- ⁴ In particular, the Civil Society and Indigenous Peoples Mechanism for relations with the Committee on World Food Security (CSIPM), <https://www.csm4cfs.org/>, and the International Planning Committee for Food Sovereignty (IPC), in relation with the Food and Agriculture Organisation of the UN (FAO), <https://www.foodsovereignty.org/>.
- ⁵ “HIC-HLRN: New Ways to Work with UN Habitat,” *Land Times/أحوال الأرض* (April 2020), <http://landtimes.landpedia.org/newsdes.php?id=p2po&catid=pQ=&edition=pGg=>.
- ⁶ HIC-HLRN, Report of “Stakeholder Engagement Mechanism for Sustainable Development” Networking Event, WUF11, Katowice, Poland, 28 June 2022, <http://www.hlrn.org/img/documents/Stakeholder%20Engagement%20Event.pdf>.
- ⁷ HIC, “Milestones in UN Habitat’s Cooperation with Stakeholders: Forward and Backward,” May 2019.
- ⁸ *Ibid*
- ⁹ Sherry Arnstein, “A Ladder of Citizen Participation,” *Journal of the American Planning Association*, Vol. 35, No. 4 (July 1969), pp. 216–24, <https://organizingengagement.org/models/ladder-of-citizen-participation/?print=pdf>.
- ¹⁰ Transforming our world: The 2030 Agenda for Sustainable Development (2030 Agenda), A/RES/70/1, 21 October 2015, <https://undocs.org/A/RES/70/1>.
- ¹¹ Implementation of the outcomes of the United Nations Conferences on Human Settlements and on Housing and Sustainable Urban Development and strengthening of the United Nations Human Settlements Programme (UN-Habitat) A/RES/72/226, 25 January 2018, para. 5, at: <https://undocs.org/A/RES/72/226>.
- ¹² HIC-HLRN, “Toward an Institutional Mechanism for Stakeholder Engagement in the New UN-Habitat Governance” [http://www.hlrn.org/img/documents/UN-Habitat Stakeholder mechanism final.pdf](http://www.hlrn.org/img/documents/UN-Habitat%20Stakeholder%20mechanism%20final.pdf),
- ¹³ Executive Summary, AR, EN, FR, SP.
- ¹⁴ See HIC-HLRN, “Toward an Institutional Mechanism,” *op. cit.*
- ¹⁵ See *Ibid*.
- ¹⁶ Arnstein, *op. cit.*; Kevin Collins and Raymond Ison. “Dare we jump off Arnstein’s ladder? Social learning as a new policy paradigm,” in *Proceedings of PATH (Participatory Approaches in Science & Technology) Conference*, Edinburgh, 4–7 June 2006, https://oro.open.ac.uk/8589/1/Path_paper_Collins_Ison.pdf.
- ¹⁷ Neil Jeffrey, *Stakeholder Engagement: A Road Map to Meaningful Engagement*, #2 in the Doughty Centre ‘How to do Corporate Responsibility’ Series (Bedford, England: Doughty Centre, Cranfield University School of Management, July 2009), p. 3, <https://www.fundacionseres.org/lists/informes/attachments/1118/stakeholder%20engagement.pdf>.
- ¹⁸ *Ibid*.
- ¹⁹ HIC-HLRN, Report of “Stakeholder Engagement Mechanism,” WUF11, *op. cit.*,
- ²⁰ Minutes of the GAP Executive Committee meeting at Berlin, March 2015; also GAP letter to Patrick Egloff, Chair, UN Habitat Ad Hoc Working Group on Stakeholder Engagement Policy, 14 June 2022.
- ²¹ This is despite the standard terms of a UN-Habitat partner contract, which stipulate that “UN-Habitat shall be entitled to all intellectual property and other proprietary rights including, but not limited to, patents, copyrights, and trademarks, with regard to products, processes, inventions, ideas, know-how, or documents and other materials which the Cooperating Entity/Contractor has developed for UN-Habitat under the Agreement/Contract and which bear a direct relation to or are produced or prepared or collected in consequence of, or during the course of, the performance of the Agreement/Contract, and the Cooperating Entity/Contractor acknowledges and agrees that such products, documents and other materials constitute works made for hire for UN-Habitat.”
- ²² HIC-HLRN, “Toward an Institutional Mechanism for Stakeholder Engagement,” *op. cit.*; PaLGU, “Background paper on Modalities for stakeholder engagement in intergovernmental processes UN-Habitat current practice,” Second Meeting of the Ad Hoc Working Group on Stakeholder Engagement Policy, UN Complex, Gigiri, Conference Room, 15 June 2022.
- ²³ Harris Gleckman, *Multistakeholder Governance and Democracy: A Global Challenge* (New York: Routledge 2018); Transnational Institute (tni), “Multistakeholderism: a critical look,” workshop report, Amsterdam, March 2019, <https://www.tni.org/en/publication/multistakeholderism-a-critical-look>.
- ²⁴ Friends of the Earth International. “Exposing corporate capture of the UN Food Systems Summit through multistakeholderism,” 25 November 2021, <https://www.foei.org/publication/corporate-capture-un-food-systems-summit-multistakeholderism/>; Kirtana Chandrasekaran, Shalmali Guttal, Madhuresh Kumar, Laura Langner, and Mary Ann Manahan, *Exposing corporate capture of the UNFSS through multistakeholderism* (Food Systems 4 People, 2021), <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKewimkfGO0Pv5AhUXgv0HHd4VBwoQFnoECBAQAQ&url=https%3A%2F%2Fwww.foodsystems4people.org%2Fwp-content%2Fuploads%2F2021%2F09%2FUNFSSreport2021.pdf&usg=AOvVaw1gLw893pFe37KnC7wXPuNB>; Sofia Monsalve,

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²⁵ In particular, Leadership dialogue 3: Accelerating the implementation of the environmental dimension of sustainable development in the context of the decade of action and delivery for sustainable development, Stockholm, 3 June 2022. See also Elena Marmo, *We Get the UN We Fund, Not the UN We Need: How the UN Opened Its Doors to Private Funding and Networked Multilateralism* (New York: Rosa Luxemburg Foundation and Global Policy Forum, May 2022), <https://rosalux.nyc/un-private-funding-and-networked-multilateralism/>.

²⁶ “Vision of civil society: Leaving no one behind in recovering better” (panel), UN Headquarters, New York, 12 July 2022, <https://hlpf.un.org/2022/programme/vision-of-civil-society-leaving-no-one-behind-in-recovering-better>.

²⁷ Henry Mintzberg, *Rebalancing Society: Radical Renewal beyond Left, Right, and Center* (Oakland CA: Berrett-Koehler Publishers, 2015); see <https://rebalancingsociety.org/>.

²⁸ Implementing the Habitat Agenda will “require a regional and cross-sectoral approach to human settlements planning, which places emphasis on rural/urban linkages and treats villages and cities as two ends of a human settlements continuum in a common ecosystem.” Istanbul Declaration on Human Settlements and The Habitat Agenda, A/CONF.165/14, 14 June 1996, para. 104, http://ww2.unhabitat.org/declarations/habitat_agenda.asp.

²⁹ As observed in Habitat International Coalition (HIC), “Charting UN Habitat-Stakeholder Engagement,” May 2019, at: <http://www.hic-gs.org/content/Media/PDF/HIC%20Milestones.pdf>.

³⁰ This survey does not review the temporary arrangements set up for the two UN Conferences on Human Settlements: The Habitat Forum at Vancouver (1976), or the self-organized Joint Steering Committee, channeling civil society inputs into the Habitat II process (1994–96). Nor does it review the General Assembly of Partners (GAP), which the former executive director of UN-Habitat set up and guided through the Habitat III process. Nonetheless, these temporary structures they also yield important lessons for their specific time and purpose.

³¹ PaLGU, *op. cit.*

³² The number of SEM delegates may be a subject for consideration in the follow-up to current proposals, taking into consideration logistical considerations or other criteria. However, this proposal does not suggest to set a limit on the number of attending SEM delegates beyond any such stipulations for other EB members.

³³ As provided in Rules 66–69 of “Rules of procedure of the United Nations Habitat Assembly,” Note by the secretariat, HSP/HA.1/HLS.2, 24 June 2019, https://unhabitat.org/sites/default/files/2021/01/rules_of_procedure_of_the_united_nations_habitat_assembly.pdf.

³⁴ Private sector associations represent the positions and interests of the business enterprises and corporations belonging to a particular sector of activity or geographic area related to housing, spatial planning and physical development.

³⁵ The first such relationship agreements between the UN Economic and Social Council (ECOSOC) and specialized organizations of the UN were with ILO, FAO and UNESCO, which served as a model. Under these agreements, the specialized agencies have the right to be represented at ECOSOC meetings, to participate in deliberations, to submit proposals and to consult on agenda items, but they do not have voting rights. The specialized organizations do not send formal reports to ECOSOC, but the Council can request reports on specific issues on its agenda. AS other specialized agencies, UN Habitat has its own governance structure, follows its own rules and makes its own decisions. The specialized agencies do not take direction from the UN Secretariat, nor from the General Assembly. However, the UN Charter mandates the coordination of their “policies and activities” and assigns ECOSOC a role in them. Given the autonomy of the specialized agencies, such coordination is limited.

On the Secretariat level, consultation takes place in the Development Coordination Office in the Executive Office of the Secretary-General, which oversees the implementation of the United Nations development system reform and the UN System Chief Executives Board for Coordination. On the intergovernmental level, coordination and coherence of UN entities in the field are at the heart of the QCPR, which is reviewed at the operational activities for development segment of ECOSOC. The specialized agencies are invited to the ECOSOC coordination segment, where coherence around the implementation of the 2030 Agenda and other thematic issues are discussed. See Johann Aeschlimann, edited by Roberta Brangam, *The ECOSOC Handbook: A practical guide to the United Nations Economic and Social Council* (Bern: Federal Department of Foreign Affairs of Switzerland, 2021), p. 33, <https://www.un.org/ecosoc/sites/www.un.org.ecosoc/files/files/en/2022doc/ecosoc-handbook.pdf>.

³⁶ ECOSOC, “Consultative relationship between the United Nations and non-governmental organizations,” E/1996/31, 25 July 1996, paras. 36 and 37, https://www.unov.org/documents/NGO/NGO_Resolution_1996_31.pdf.

³⁷ See Arnstein, *op. cit.*

³⁸ *Supra*, note 1.